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REAUTHORIZATION OF THE ADOPTION REFORM ACT OF 1978 AND THE FAMILY VIOLENCE PREVENTION AND SERVICES ACT OF 1984

HEARING

BEFORE THE

SUBCOMMITTEE ON
CHILDREN, FAMILY, DRUGS AND ALCOHOLISM

OF THE

COMMITTEE ON
LABOR AND HUMAN RESOURCES
UNITED STATES SENATE

ONE HUNDREDTH CONGRESS

FIRST SESSION

ON

EXAMINING ISSUES REQUIRING THE ATTENTION OF CONGRESS IN THE COURSE OF REAUTHORIZING THE ADOPTION REFORM ACT OF 1978 AND THE FAMILY VIOLENCE PREVENTION AND SERVICES ACT OF 1984

MAY 21, 1987

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OVERSIGHT OF THE ADOPTION REFORM ACT OF 1978 AND THE FAMILY VIOLENCE PREVENTION AND SERVICES ACT OF 1984

THURSDAY, MAY 21, 1987

U.S. Senate,
Subcommittee on Children, Family,
Drugs and Alcoholism,
Committee on Labor and Human Resources,
Washington, DC.

The Committee met, pursuant to notice, at 2:30 p.m., in Room SD-430, Dirksen Senate Office Building, Senator Christopher J. Dodd (Chairman of the Subcommittee) presiding.

Present: Senators Dodd, Hatch, Thurmond, and Harkin.

OPENING STATEMENT OF SENATOR DODD

Senator Dodd. The Senate Subcommittee on Children, Family, Drugs and Alcoholism will come to order.

Let me first of all extend an apology to those of you who got here more than 20 minutes ago. I was tied up on a personal matter and was unable to get away, so I beg your forgiveness.

Let me just very briefly say at the outset how pleased I am to Chair this hearing to examine the current issues that are requiring the attention of Congress as we reauthorize the Adoption Reform Act of 1978 and the Family Violence Prevention and Services Act of 1984.

These two programs are very small in comparison with a majority of other programs administered at the Federal level; but in fact they symbolize the key leadership role the Federal Government can play with States and localities in identifying the special needs of children and families in promoting model programs to meet those needs.

We will hear first this afternoon about the major accomplishments of the Adoption Opportunities Program since its enactment in 1978. Additionally we will hear recommendations about how this Act might be strengthened.

I should note that the primary purpose of the Adoption Opportunities Act has been to promote the adoption of special needs children—children who are handicapped, older, part of a sibling group, or members of a minority group.

According to the most recent figures available from the United States Department of Health and Human Services, there are an estimated 36,000 special needs children in the foster care system who are legally free and waiting for adoptive families. Further, it is now estimated that approximately 42 percent of these children are minorities.

Finding adoptive families for minority children has become an even more urgent priority for adoption agencies over the past few years, as the proportion of minority children in the foster care system has risen from an estimated 35 percent in 1977 to 50 percent today. Further, in my own home State of Connecticut, minority infants—infants who literally will suffer for the rest of their lives without an early stable, nurturing home—wait on the average of two and one half times longer than white infants for a placement with adoptive families.

What more can we do to guarantee these waiting children an adoptive family? All concerned agree that more must be done to recruit and retain minority families. While the adoption opportunities program thus far has been instrumental in helping adoption agencies identify barriers to recruiting minority families, recent studies indicate much more remains to be done in helping minority families to successfully negotiate the adoption process.

I look forward to the hearing recommendations on how to strengthen the Adoption Opportunities Act based on successes in this area that some of our witnesses will describe for us today.

Finally, the Adoption Opportunities Act has been a tremendously successful one over the last decade in helping to steadily increase the number of special needs children placed in adoptive families. But what we have learned from this experience, as well as from families adopting infants, is that living happily ever after for adoptive families often requires a continuing helping hand from the adoption agencies.

Post-legal adoption services, the extension of a range of services to adoptive families after the adoption is legally finalized, are increasingly in demand. I look forward to hearing this afternoon about the model post-legal adoption services that are emerging around the country.

Our second panel of witnesses will discuss the importance of the Family Violence Prevention and Services Act of 1984. As I stated initially, I believe that this program provides an opportunity for the Federal Government to play a leadership role with States and localities in identifying a critical service need and in promoting model programs meeting that need.

Further, a key component of this Act allows for training an array of community actors to help prevent domestic violence—staff from schools, hospitals and mental health agencies, just to name a few. Most importantly, a specific provision was established for law enforcement training and technical assistance to assure that personnel of local and state law enforcement agencies are trained to provide appropriate responses to the incidence of family violence.

The need for family violence prevention and treatment services goes without question, given the estimate that about 1.8 million American women are beaten each year in their homes. As with most social ills, family violence knows no social or economic boundaries.

Police in Norwalk, Connecticut, receive the same number of spousal abuse calls as they do in Harlem, New York. Men commit 95 percent of all assaults on spouses, but we also know that 73 percent of such male abusers were themselves abused as children. Thus, a significant number of their children may be at risk of committing spousal abuse, as it is estimated that about 40 percent of the children of victims of spousal abuse are also abused.

While the Family Services Prevention and Treatment Act is primarily designed to provide small grants to shelters for victims of domestic violence, we still have a long way to go in meeting the need for shelters. It is estimated that every other woman seeking refuge at the 1,100 shelters or Safe Homes around the country must be turned away due to the lack of space.

In our own backyard here in Washington, D.C., it is tragically reported that only one out of every seven women seeking shelter can be accommodated. Finally, even less is known about the numbers of children affected and what services are most effective in working with them.

This Act has provided an impetus for States and localities to increase or improve their services to victims of family violence. In my own home State of Connecticut, for example, two-thirds of the grant monies made available to the State through this Act were used last year to help the State-wide network of 18 shelters to carry out their activities. And the remaining one-third was used to supplement State-wide training and technical assistance efforts.

One of the major projects included in this training and technical assistance effort was the development of a lay person's guide to the new Connecticut Family Violence Prevention and Response Act for use by police departments, legal aid offices, and hospitals.

I am proud to say, in fact, that the Family Violence Prevention and Response Act passed by the Connecticut Legislature last year is nationally considered to be a landmark law. This Act is noteworthy due to its comprehensive scope, establishing in law the role of the police, the courts, and human service agencies in the prevention and treatment of family violence.

I know many other States have established model family violence and treatment programs, including the home State of my Ranking Minority Member who I hope will show up a little later, Senator Strom Thurmond of South Carolina. I look forward to hearing about the important services provided by these programs and about how we might strengthen this Act.

Before we begin, however, I want to state for the record my serious concerns about the Department of Health and Human Services repeated delays in making the Family Violence Prevention and Services Grants available. Last year the grant announcement was not issued until almost half of the fiscal year had expired. Again this year, I understand, the grant announcement was just issued on May 6.

I want to know from the shelter administrators what the effects of these repeated delays have had on the States. I understand and appreciate that the Administration has not been supportive of this Act; in fact, it was opposed to it a few years ago when we authorized it. But I would hope that despite the opposition of the Act, once it is in law that we would see to it that the grant monies are made available. I look forward to their testimony to determine whether or not there is some good reason for that delay.

We will insert into the record at this point opening statements by Senators Hatch and Harkin.

OPENING STATEMENT OF SENATOR HATCH

Senator HATCH. I am pleased to join this hearing to discuss the reauthorization of two important federal programs that affect families—the Adoption Opportunities Act and the Family Violence Prevention and Services Program. Through adoption, we provide permanent and loving homes for children and the joy to families that comes from expanding the family unit. Family violence represents the other end of the spectrum. It threatens the integrity of the family unit and exposes children and spouses to brutality and abuse.

50,000 children find permanent homes through adoption. In my home state of Utah it is estimated that annually over 800 children are adopted. Most of these children have special needs. And just yesterday, I learned from the Utah Department of Social Services that only 4 children are waiting to be adopted. Unfortunately, this statistic is not repeated throughout this country. Existing data suggests that there are thousands of children, primarily special needs children, waiting to be adopted.

In the summer of 1985, I chaired two days of hearings examining the barriers to adoption. It became quite clear that there are serious impediments to adoption—impediments that daily prevent children from becoming part of a permanent family. There are literally thousands of children sitting and waiting to be adopted today. Many of these children have spent years bouncing around a foster care system that often does more harm than good. And then, when they are legally freed for adoption, they may be too old or too scarred by the system to be easily adopted.

The Adoption Opportunities Act has addressed several of the problems by producing incentives to get special needs children out of foster care. But barriers still exist. The lack of data on the number of children available for adoption is a major barrier to developing a concrete policy in adoption. I know that an advisory committee has been formed by Secretary Bowen to develop such a system to be implemented by 1991.

But there are also fiscal disincentives that keep children in foster care. They must be removed. And, we must look at ways of helping families with post-adoption counseling. Finally, we must do more about recruiting minority families to adopt special needs children.

Violence between family members—spouse abuse, child abuse, abuse of the elderly—is a much different societal problem. No longer should family violence remain a hidden family secret where women must hide in shame, nor children remain the primary target.

I am proud to report that since the enactment of the Family Violence Prevention and Services Act in 1984, most citizens in Utah have access to a shelter to get temporary respite from the abuse that may occur in their own home. But even more importantly, the law requires that more be done for these families who are victims of abuse. They need more than temporary shelters—they need counseling so that the cycle of abuse can no longer continue.

It is estimated that between 2 to 5 million women per year are beaten. Over one million children are abused each year. While these statistics alone are appalling, we have learned from research that the use of violence is passed on from generation to generation. If we allow the violence to accelerate, more and more families will disintegrate. And our society's abused children are put on a treadmill toward delinquency and adult crime.

I will strongly support the reauthorization of the Family Violence Prevention and Services Act. In Utah, through a grant awarded under this program which requires multiple services to be provided to the abuser and their family, there is a 70% reduction in future violence. There have been some suggestions on ways we can strengthen the prevention of future family violence and some suggestions on the need for training of more family violence workers. I am looking forward to working with Senator Dodd and Senator Thurmond to ensure that these two programs are as effective as they must be.

OPENING STATEMENT BY SENATOR HARKIN

Senator **Harkin**. I would like to take just a moment to commend the distinguished chairman of this subcommittee for calling this hearing on such an important matter. Chris Dodd has been a tireless advocate for all children and families, and particularly for those children and families which are sadly the subject of this hearing. Since passage of the Child Abuse Prevention and Treatment Act in 1974, the seriousness of family violence in America has become apparent to us all—thanks largely to persons like Chris and organizations like those represented here today, who have been outspoken on an issue many people prefer not to think about. I look forward to working with you, Chris, and the other members of this subcommittee on the reauthorization of the Child Abuse Prevention and Treatment Act.

I am particularly pleased that we have among our witnesses today a young woman from my home State—Patricia Price from Ankeny, IA. Patricia is herself a victim of family violence. She lived for 3 years with an emotionally and physically abusive husband. But Patricia has turned her life around to the point now where she's a real model and advocate for women and children still looking for ways out of, or recovering from abusive relationships. She is going to tell us a little bit about how she got to where she is today, and the importance of the support services she received. Let me just say, that I am proud to have her here today, and I appreciate her sharing her story with us—something I know is very painful.

Senator **Dodd**. I am going to ask Jean Elder to testify first. She is the Assistant Secretary for the Office of Human Development Services. We are delighted to have you with us. The last time, of course, you went through the terrible problem of waiting, so we decided, Jean, today we are going to make you number one so you do not have to go through that process again. We will be glad to receive your testimony.

STATEMENT OF JEAN ELDER, PH.D., ASSISTANT SECRETARY FOR HUMAN DEVELOPMENT SERVICES [DESIGNATE], DEPARTMENT OF HEALTH AND HUMAN SERVICES, WASHINGTON, DC, ACCOMPANIED BY JOSEPH MOTTOLA, DEPUTY COMMISSIONER, ADMINISTRATION FOR CHILDREN, YOUTH AND FAMILIES; AND JANET HARTNETT, DIVISION DIRECTOR, OFFICE OF POLICY, PLANNING AND LEGISLATION

Dr. ELDER. Thank you very much, Mr. Chairman. It is very nice to see you again. Thank you for this privilege to appear before you today to discuss two programs, the Family Violence Prevention and Services program and the Adoption Opportunities program.

With me today are Joseph Mottola, sitting to my left, the Deputy Commissioner of the Administration for Children, Youth and Families, and to my right, Janet Hartnett, Division Director in the Office of Policy, Planning and Legislation.

I also want to express appreciation and respect for your leadership, Mr. Chairman, and that of Senator Thurmond's in the complex areas of child abuse, adoption and other services to help protect children and strengthen families.

We at the Office of Human Development Services share your commitment to improving the lives of children and families and I look forward to working with you in these areas.

The Family Violence Prevention and Services Act is a new program enacted, as you are well aware, as a part of the Child Abuse Amendments of 1984. The purpose of the program is [1] to assist States in their efforts to prevent family violence and provide immediate shelter and related assistance to victims of family violence and their dependents; and [2] to provide training and technical assistance in support of the family violence program. The Act also requires the Department to conduct certain research, evaluation and clearinghouse activities.

This program was funded late in fiscal year 1985 and early in fiscal year 1986 for a total of $8.5 million, reduced by the Gramm-Rudman-Hollings legislation to $8.3 million. We are now in the second year of operation of this program.

Most of the funds under the Act are distributed as formula grants to States and, at the discretion of the Secretary, to Indian tribes. In fiscal year 1986, HDS made grants to 55 States, Territories and Insular Areas and to 65 Indian tribes for a total of $7.5 million. Generally speaking, States distributed some or all of these funds to the State's family violence shelter network.

States also use these funds for drug abuse or self-help counseling projects or other activities such as a State-wide family violence hotline or special projects to respond to elder abuse.

Funds totalling $700,000 were transferred to the Department of Justice to carry out certain research activities and, as required by law, for training and technical assistance for State and local law enforcement personnel.

Family violence funds were also used to support a report entitled "A Comprehensive Analysis of State Policy and Practice Related to Elder Abuse," in response to Section 305(b) of the Act.

On May 6, we published in the Federal Register a notice requesting State and Tribal applications for fiscal year 1987 Family Violence Grants. We expect State and Tribal grant awards to be made early in July.

The authority for this program expires at the end of this fiscal year and the Administration has proposed that it not be reauthorized.

We believe that the Family Violence Program duplicates other Federal statutory authorities and funds States receive to support such services. Services may be provided by States under the Social Services Block Grants or, in part, under the Child Welfare Services program.

In fiscal year 1986, for example, 54 States, Territories and Insular Areas reported that they plan to use Social Services Block Grant funds to provide protective and emergency services to children, and 46 reported using these funds to provide such services to adults, including abused spouses.

In addition, we believe that adding or continuing a small, Federal categorical program is not the optimum way to provide services at the State and local level. Typically, new categorical programs require some additional administrative structures at both the Federal and State levels. This can contribute to further fragmentation of the social services delivery system.

The Adoption Opportunities Program was first enacted as a part of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978. It has been in operation since that time. Funding has ranged from $1.9 million to over $4.7 million in fiscal year 1986.

The purpose of the Adoption Opportunities Program is [1] to facilitate the elimination of barriers to adoption and [2] to provide permanent and loving home environments for children who would benefit by adoption.

This is a program whose broad statutory provisions have enabled the Office of Human Development Services over these years to fund a wide variety of innovative and successful projects and activities.

During the last several years, the Office of Human Development Services has carried out a national initiative to promote the adoption of children with special needs. These are children who may be school age, handicapped, members of minorities, or be brothers and sisters who should be adopted together.

We have been working with public and private agencies, organizations, corporations and the media to increase public awareness; to recruit families, especially minority families; to work with a variety of organizations such as the network of agencies and services for persons who are developmentally disabled; to enlist volunteers; to involve the corporate sector; and to address national issues such as adoptions across State lines.

Mr. Chairman, with your permission, I would like to show a video tape which illustrates one of the creative efforts which we have developed to educate and encourage the public to consider special needs adoption. This three minute news feature has been entered in 135 television markets across the United States. It is our hope that through simple messages and formats like these more people will open their hearts and their homes to special needs children who are awaiting adoption.

[Video presentation.]

Senator DODD. Very nice.

Dr. ELDER. In conjunction with this effort and other HDS leadership and coordination efforts, we have used Adoption Opportunity funds in recent years to provide training and technical assistance to agencies and organizations through the National Resource Center for Special Needs Adoption in Chelsea, Michigan, my home State.

I am very proud of what the National Resource Center for Special Needs Adoption, a Division of Spaulding for Children is doing, very, very proud. And through the Adoption Opportunities Fund we have also made grants to 22 States for similar types of technical assistance.

We have supported the spread of successful adoptive parent recruitment and placement services through Wednesday's Child and special minority adoption efforts such as the One Church, One Child; and also, Friends of Black Children.

We have facilitated the placement of children through the National Adoption Exchange, which is located in Philadelphia, including a telecommunication network of 22 States on-line with an additional 23 to be added during the next six months.

We have funded projects to improve the quality of adoption services, including projects to develop models of post-placement and post-adoption services, so that we do not have as many disruptions after adoptions occur.

We have initiated a three-year grant to the National Center for State Courts to develop and implement a national adoption information system, and we are supporting the development and implementation of the Interstate Compact on Adoption and Medical Assistance to assure services for adoptive families who move to other States. And finally, we are funding a consortium of nine States to increase the number of adoptive placements and decrease the number of children waiting for adoption.

We strongly support reauthorization of the Adoption Opportunities Program. We believe its broad discretionary authority permits Human Development Services to focus on emerging adoption issues as well as to provide leadership and support to States as they implement adoption programs to improve the lives of children.

I will be happy to respond to any questions you might have.

Senator DODD. Thank you very much, Doctor, for that testimony, and also for the film. That was very, very good. Very moving as well.

We have been joined by my colleague from Utah. Do you have an opening statement?

Senator HATCH. I do, Mr. Chairman. I appreciate you giving me this opportunity.

I want to welcome all of the witnesses to this meeting. It seems to me that this is a very important Committee hearing and I want to congratulate you, Mr. Chairman, for leading out in this area.

These are two very important Federal programs that affect families; the Adoption Opportunities Act and the Family Violence Prevention and Services program. I think, Jean, with what you have said, that I endorse everything on these programs and you have summed it all up very well.

Through adoption we provide permanent, loving homes for children and the joy that families get from expanding their family unit. And, of course, family violence represents one of the worst problems that our society has today; it is the other end of the spectrum. It threatens the integrity of not only the family unit, but perhaps many others in the future, and exposes children and spouses to brutality and abuse. I am very concerned about these things and I look forward to looking at this complete record and learning everything I can about it.

I would ask, Mr. Chairman, that the balance of my remarks be placed in the record immediately following yours, and I just want to congratulate you again, and all of you for being here.

Dr. ELDER. Thank you.

Senator DODD. Thank you, and obviously, we will insert your full statement after my opening remarks.

I should point out that in the past when the Senator from Utah was chairing the full Committee, he was very receptive and helpful on a number of these questions when I was sitting way down at the other end of that table working on some of these things.

Senator HATCH. Well, thank you very much.

Senator DODD. So it is a pleasure to have him here with us as well.

Let me first of all, if I can, Doctor, focus on the Adoption Opportunities bill and then we will lastly pick up on the issue of Family Violence legislation as well.

Your agency has done some very good work in the adoption area through the public service announcements and these programs that we have seen here. They have raised the awareness of the fact that, as you point out, there are some 36,000 special needs children waiting for adoptive families.

I wonder if you have any documentation to show what models have been most effective in actually placing children in adoptive families?

Obviously, some of these things work better than others. I presume you are following that to determine which ones really work well so that we can get that kind of information out.

Dr. ELDER. Senator, I would like Mr. Mottola to respond in terms of some of the models, and then we also would be delighted to present more of them for the record.

Senator DODD. Fine. Thank you.

[Material submitted for the record follows:]

Models of effective adoption programs for children with Special Needs that have been developed through the Adoption Opportunities Grants include:

Friends of Black Children Project (Creating New Linkages for the Adoption of Black Children: A Guidebook)

Illinois Special Needs Adoption Project (Mostly I Can Do More Things Than I Can't)

One Church, One Child

Post Placement Services (Focusing Training for Mental Health Professionals on Issues of Foster Care and Adoption)

Corporate Initiatives (Promoting Special Needs Adoption At the Workplace)

Conference Training Materials (Special Needs Adoptions: A Positive Perspective: A Conference Sponsored by the Colorado Department of Social Services)

Copies of these models are attached.

(Note: Due to printing limitations, and in the interest of economy, the publications listed above were retained in the files of the Committee.)

Mr. Mottola. We do have some documentation with us, Mr. Chairman that we would like to share.

One Church, One Child has been a cornerstone of the effort for having these special needs children adopted. We are very proud of the impact that this initiative has had throughout the country. I think there are many, many people who are aware of the utility of this project.

Another initiative called One Company, One Kid is a follow-on to One Church, One Child. It was developed in New York and it was done with the intention of having the corporate world become more involved in the process of special needs adoption. This has proven useful as a model for corporations to put their money where their mouth is and get involved in the special needs adoption effort.

Senator Dodd. Is that an annual kind of a goal? I mean, One Church, One Child, One Company, One Kid, that each year they would really go out and recruit?

Mr. Mottola. Yes. The intent is that the organization would commit itself to, on a local basis, special needs adoption in certain numbers.

Senator Dodd. Okay. I am sorry. I did not mean to interrupt. Are there other ones you wanted to add?

Mr. Mottola. But, of course, we have Wednesday's Child, which we think has also been very effective in having special needs children made prominent and adopted on a local basis. And where that has happened many more special needs adoptions have taken place.

Senator Dodd. I was very active on the National Board of Directors of Big Brothers in my home State. In fact, I was an active Big Brother for many years. But I noticed there were programs that promote a Big Brothers program on Wednesday's Child, or Thursday's Child on local television. Is that what you are talking about, that same basic concept?

Mr. Mottola. Yes, it is that concept. We have, for instance, in our Federal Register announcement for a coordinated discretionary program this year, 1987, a priority area that is aimed at having these projects that we think are successful picked up and replicated in various places around the country.

Senator Dodd. Now, I presume you have found some that have not worked very well. Is that true?

Mr. Mottola. I do not know of any that have not worked very well, but I am not the best person to answer that question.

Senator Dodd. Let me ask you a related question. I am proposing a parental leave bill in the Senate which has gained some support. My bill limits leave to the birth, adoption or serious illness of a child. One of the tough areas we run into is the special needs adoption area.

My understanding is that most agencies around the country insist that one of the parents, if it is a two-parent family, take more than what would be considered normal amount of time off from work.

Especially if the child is retarded or handicapped in some way, there is a greater need for more time for bonding to take place. Obviously, the question must come up in your One Company, One

Child where you have two working parents, and would really like to adopt but yet there is a danger of losing the job.

Have you run into that at all in your discussions?

Mr. Mottola. We have, indeed, run into that. That is a problem. We have been, I believe, within the context of Human Development Services, trying to set examples and we have been working with the Office of Personnel Management, for instance, to have the Federal Government take a leadership role. We are making some progress but not as much as we would like to have in having the Federal Government recognize the needs of adoptive parents, the leave needs of adoptive parents.

Senator Dodd. But do you find them to be reluctant to get into that area of leave?

Mr. Mottola. We have a commitment from the Office of Personnel Management to work positively in this area. Of course, there are Federal leave rules and regulations that they cannot go beyond, but the idea is to make it as easy for adoptive parents to take leave in the circumstances of an adoption as it is for the birth of a natural child.

Senator Dodd. Am I correct in what I said earlier? Agencies want people to take more time off if they adopt a special needs child than if they adopt a healthy child?

Mr. Mottola. You are correct.

Senator Dodd. Can you give us any documentation—again, talking about special needs children—on how these programs are working? You talked about the effectiveness of these efforts.

Mr. Mottola. I can speak generally about numbers. My answer to the question, first of all, is no. We do not have any numbers that will directly answer your question. We do have some indicators, however, and I would like, if you have the time, to mention a little bit about what we are in the process of doing to get better numbers.

Senator Dodd. In the context of that, would you tell me a little bit about how you evaluate grantees in terms of their effectiveness.

Mr. Mottola. Sure. First, let's deal with the numbers. The only numbers that we have that are indicative of the increase in special needs adoptions are those that are related to the Title IV-E Adoption Assistance Program.

We know that more special needs children are being adopted with subsidies, because the number has gone from zero in 1981 to about 30,000 at the current time. So that we know that the adoption subsidy as an incentive seems to be working and we know that more special needs children are being adopted.

Now, unfortunately, in the broader area of statistics on adoption, we do not have very good numbers. We have a voluntary cooperative information system which gives us some indicators and two years ago we created an interagency task force to advise us on the collection of adoption data.

We had a feasibility study done by the National Center for State Courts that worked well. They now have a grant from us to develop, field test and get ready an adoption information collection system which would begin to give us the kinds of statistics that you are talking about that we all know we need.

Now, if I can answer the last part of your question, how do we know how well grantees are doing? Where we have grants that are made on the basis of promises to have certain numbers of children adopted as a consequence of the grant, we follow up with those grantees. We call those grantees in for periodic meetings and then have those grantees issue final reports.

Quite honestly, some of them make the goals that are established and others do not. We do not think it is for lack of effort, but we do have some mixed results.

Senator DODD. Okay. The minority children issue is one, obviously, that has provoked significant debate here and elsewhere in terms of what has to be done. What activities has the agency undertaken to speed up the adoptive placements for these children?

As you may have heard in my testimony, and I think those figures are pretty well established, there is a two and a half times longer period of time for healthy minority infants to find adoptive homes. I am wondering what we are doing to cut into that rate so it reduces the time?

Mr. MOTTOLA. You are correct in the figures that you gave. There are more minority children waiting for adoption relative to their numbers in the system than non-minority children and we recognize that it is a problem. We have had, over the years, a number of efforts, some of which I spoke about, to focus attention on the issue of minority adoption.

Last year with some of the adoption opportunities money that was available we made grants to 22 States to improve their adoption systems with the focus on adoptions of minority children. We think that we will see some promising results from that.

We also have spent a fair amount of money—$500,000 or $600,000—on bringing together a consortium of States. All States have this problem, but some have it more than others in that their volume is much greater than others. We have made grants to a consortium of nine States which have large numbers of waiting children and we are asking those States to set goals and then to share their failures and successes in a consortium with each other so that they can use the results from one State to beef up the systems in other States.

These are some of the kinds of things we are trying to do with the resources that we have to focus on that.

Senator DODD. Is that focused on minority children or is that just across the board?

Mr. MOTTOLA. It is across the board, but since minority children represent such a large percentage in most of these States, it focuses on minorities.

Senator DODD. Well, I understand that. I mean, I know those numbers. But you have also got the problem where the minority children wait longer. Are there special efforts being made within the minority community to make people aware of the availability of minority children beyond what you would do normally? That is my point.

Mr. MOTTOLA. We are asking the States to make special efforts in the context of these programs to focus on minority children and the special problems that minority children represent.

Senator DODD. Again, I will ask the question I did earlier. Do you find that there are certain kinds of efforts that are more successful than others when dealing with minority children in this particular area?

Mr. MOTTOLA. The sensitivity to the various minority cultures is an important ingredient and the relationship of minority cultures to the typical child welfare services system may not be as sensitive as it needs to be.

Senator DODD. Okay. The National Adoption Exchange effort, I think is an excellent idea. Do you have any ideas, Secretary, as to how it might be strengthened and whether or not it can be strengthened? If so, how? Are there any recommendations you might make?

Dr. ELDER. I am going to have Mr. Mottola respond and then I will follow up.

Senator DODD. All right.

Mr. MOTTOLA. We are, indeed, looking at that very issue, Mr. Chairman. We want the National Exchange to be a catalyst for activity at the State and local levels. We have regional exchanges. We also have State adoption exchanges.

Our focus at this point is to use the National Exchange as a technical advisor to those State and regional commissions, and one of the major activities that we have, as Dr. Elder mentioned in her testimony, is a telecommunications network with the National Adoption Exchange serving as the hub for that activity.

We have funded through Adoption Opportunities Grants in 46 States telecommunications systems, so that we can begin to get communications going electronically between, for instance, the National Adoption Exchange, the National Adoption Resource Center, and all of the State and any private agencies that may be able to get on to the system. In this way we share information about waiting children, waiting families, and techniques for having these families and children get together for adoption.

Senator DODD. Well, I would like to have you make some recommendations. As we draft our reauthorization bill. What are the things that we might do to strengthen this particular area—whether or not the resource allocation is adequate, whether or not there should be more emphasis on it, things of that nature. Do you have any thoughts on that today?

Mr. MOTTOLA. Well, we think that the amount of money we have for that particular effort is adequate. What we would like to do is refocus the effort of the Exchange and we have been having discussions with the Exchange on that score.

Senator DODD. What kinds of training and technical assistance do most States frequently ask from the National Resource Center in the area of special needs adoption?

Mr. MOTTOLA. They ask for assistance in the mechanics of matching children with families. They ask for assistance with ways for recruiting parents for special needs adoptees. Generally, I think the questions tend to be in the area of the mechanics of the adoption, but then they also go well beyond that into the area of post-adoption services. They want to know what kinds of post-adoption services are available or can be made available for special needs adoptions.

Dr. **Elder**. Senator, another thing that I would add to that is that parents who adopt special needs children also really want information in terms of, what can I expect? What are the outcomes?

I think that is the last part of what Mr. Mottola was referring to; not just services but, all right, this baby has Downs Syndrome, and what does that mean in the out-years? What expectations should I have as a parent in terms of that youngster's ability to develop and to grow? And what kinds of things should we be looking for in terms of milestones?

One thing we have done with the Exchange that I think is really exciting is we have brought professionals together from the developmental disabilities area with people from social services, and we have asked them to share their skills, because often those of us who were trained in one area did not have the kind of competency that those in the other area have.

We have to do more of that as we work harder to make good matches and as we work with families to give them the kind of support that they need so that they can be the parents they really want to be. I think this is a very important part of the refocus of the Adoption Exchange from a national vantage point, getting the information out and pairing parents. A parent who has adopted a Downs Syndrome child, for example, is put in touch with another family that is thinking about doing that so that they can share their experiences.

Senator **Dodd**. It would be helpful to the Subcommittee if we could get some documentation—I presume you have it—from the Center as to what kinds of requests we are getting from the States in the area of training and assistance and so forth so we can start to build a record and track this as it moves along.

I presume you probably do not have that with you here today, so I would make the request if I could, as well.

[Information supplied for the record follows:]

REQUESTS FOR TRAINING AND TECHNICAL ASSISTANCE RECEIVED BY THE NATIONAL RESOURCE CENTER FOR SPECIAL NEEDS ADOPTION

The Center receives many requests for technical assistance and training from the States, voluntary agencies and other interested individuals. Attached are copies of quarterly report excerpts detailing these requests. In summary the following areas receive a large number of requests:

Post Placement Services
Preparation/Assessment (both of children in need of adoption and prospective adoptive parents)
Permanency Planning (including the work with foster parents)
Adoption Disruptions
Single Parent Adoptions
Placement of Children with Developmental Disabilities for Adoption
Services for Minority Children Awaiting Adoption
Recruitment
Group Care/Adoption Collaboration (Adoption possiblities for children in institutions, etc.)
Networking
Transracial/transcultural issues

Excerpted from National Resource Center for Special
Needs Adoption Quarterly Report (1-1-87--3-31-87)

2. Training

Eight workshops were held during the quarter as part of the Michigan Department of Mental Health Permanency Planning Program. A total of eighty five staff were trained in the following topics:

- Permanency Planning - the role of foster parents
- Adoption Overview
- Permanency Planning Overview
- The Parent-Agency Agreement

The Pennsylvania Developmental Disabilities contract resulted in a one day training for the twenty workers from the four monitored private agencies regarding administrative and policy issues in developing purchase of service agreements with the respective Pennsylvania counties.

Two two-day workshops were presented for approximately fifty state adoption workers in Nevada for the Rocky Mountain Exchange which involved the topics of child and family preparation and assessment.

Three one-day workshops were provided for approximately 120 foster care and adoption workers as a follow-up to the Michigan Quinn Consent Decree training. Workers were trained in "tailoring" placements and working with families in placement.

Two one-day workshops were presented in the Michigan Upper Peninsula for sixty child welfare workers regarding Indian ethnic sensitivity training and family assessment for cross racial placement.

A one-day workshop for the New York Division of Youth and Family Services on Foster Parent Training and Lifebook work was attended by twenty five people.

A workshop was presented at the Child Welfare League of America National Conference for thirty people on "Survival in Adoption".

"Group Care/Adoption Collaberation" was presented to twelve group care workers at the Treischman Center Conference in Boston, Massachusetts.

The Center was represented at a Special Needs Adoption Panel sponsored by the New York Department of Social Services. Ninety people attended workshops in "Preparing Children for Adoption" and "Post Placement Services".

On-going work has continued with D.A. Blodgett, a private agency in Grand Rapids which has received continuing training in converting to a special needs adoption agency. Quarterly training sessions are occurring regularly, and teleconferencing is being utilized as a training vehicle on at least a weekly basis.

3. Consultation

The following consultation activities occurred during the quarter:

- The State of Kentucky Department of Mental Health and Social Services received consultation regarding their preliminary training of mental health professions prior to the Center's provision of post adoption services training. Their initial training session was attended; suggestions regarding content and methodology were made to planners and training staff.

- The State of Virginia requested participation by Center staff in their consideration of new policies related to limiting the size of approved adoptive families. Their assessment followed a tragic death of a child in a large adoptive family but also reflected an issue of national concern to the question "How much is too much?".
- The Michigan Department of Social Services requested consulting services regarding the development of a mandatory child welfare supervisory training curriculum. A proposed curriculum outline was submitted for their consideration.
- Child and Family Services of Kalamazoo, Michigan requested and received a half day consulting service in the development of an adoptive service for profoundly

handicapped, high risk children with development disabilities.

* Children Unlimited, a Family Builder agency in South Carolina, continued to receive consulting services regarding their long term strategic planning process.
* Four Oaks, a private residential agency in Iowa, requested initial consulting services regarding their new adoption program. A full day's Center site consultation session is being planned for next quarter.
* Four special needs adoption agencies which are participating in the Pennsylvania Developmental Disabilities project participate in monthly consultation visits and have discussed issues regarding case planning, self sufficiency, family and child preparation and working with county agencies.
* A needs assessment was provided to Kent County Department of Social Services adoption supervisor to assist her in planning and prioritizing training needs for her new adoption staff.

C. INNOVATIVE METHODS AND APPROPRIATE MATERIALS

Much attention and time has been involved the development of the tools for the state of Iowa's training program. The development of a videotape and guidebook entitled "but you never told me" will provide a creative and new way to approach prospective

Excerpted from National Resource Center for Special Needs Adoption
Quarterly Report (7-1-86--9-30-86)

1. Technical Assistance

The Center has seen an increase in the volume of telephone requests for specialized knowledge and assistance. Three general areas appear to be most frequent:

A. Parent training resource material for use in recruitment, preparation and post-adoption services, including work with both adoptive and foster parents. It is clear that the Center's plan for developing curriculum in this area is urgently needed.

B. Specific questions related to the Adoption Opportunity Act, current court actions on transracial adoptions, and questions on grant writing for training and technical assistance in response to the recent RFP.

C. Practice issues, particularly in reference to work with children with developmental disabilities.

Telephone requests have been received from states such as Connecticut, New York, Pennsylvania, South Carolina, Oregon, Wisconsin, Hawaii, North Dakota, Michigan, Maine, Minnesota, Iowa, New Mexico, Ohio, New Hampshire and California. It appears that the Center's services are becoming visible and that there is a broad constituency.

Another on-going activity of the Center has been the involvement in the planning with the Michigan Department of Social Services and the University of Michigan of a longitudinal research project related to the impact of adoption subsidy. Changes in MDSS has resulted in a slowing of this project, but funding is still being sought to implement the pilot study.

A major technical assistance project was the involvement of the Center in the development of the Family Assessment Tool related to cross racial/cross cultural placements. This guide was developed as a result of the mandated order of the Michigan Quinn Consent Decree and involved an intensive effort to meet the requirements of the decree while at the same time providing assistance in improving practice. A considerable portion of the training which the Center later provided was based on this guide.

2. Training

The amount of training that occurred this quarter was enormous. Seventeen hundred and seventy-five (1775) workers were trained and a total of approximately one hundred twenty (120) hours of training was delivered. The following workshops were planned and implemented this quarter:

The Michigan Department of Mental Health Permanency Planning Program contract involved two workshops:

** Permanency Planning (Number 2 in the series)

** Decision Making in Foster Care

Trainees included workers and supervisors from institutions and community mental health centers.

A two day workshop was conducted for the Department of Social Services in the Commonwealth of Virginia called "Straight Talk About Adoption of Children with Developmental Disabilities". Participants included adoption workers and supervisors, and adoptive and foster parents.

A workshop was presented at the APWA Regional Conference in Flint, Michigan which was entitled "Adoption and Permanency Planning for Black Children and Children with Developmental Disabilities - New Approaches". This workshop involved a panel with Gary Morgan from Illinois and was presented to state welfare administrators from six states.

A two day training was conducted for the Illinois Department of Child and Family Services entitled "Adoption Training in Post Adoption Services". This training was state wide and concluded a grant that Illinois had received for increasing adoption for children with developmental disabilities.

Three workshops were presented at the NACAC conference in Toronto. They included:

- ** Adoption Disruption Research
- ** Single Parent Adoption
- ** Helping Threatened Families

This was a national conference and included adoptive parents, workers and administrators.

A two day training was conducted for the Wyoming Department of Social Services which was "Adoption Training - Working with Children and Families". The participants were adoption workers and supervisors statewide.

An all-day institute was conducted for the National Association of Homes for Children Conference in Denver, Colorado. The topic was Group Care/Adoption Collaboration. This was a national conference and involved training 200 people.

Two workshops were presented in Arizona for the National Foster Care Review Board Association regarding "Current Issues in Transracial Placement". This was the organization's first national conference and included review

Excerpted from National Resource Center for Special Needs Adoption Center Quarterly Report (10-1-86--12-31-86)

1. Technical Assistance

At least thirty-six substantive requests for technical assistance were received and met this quarter from approximately thirty disparate organizations. Two requests for materials and information were provided to the Chicago and Seattle federal regional offices; two states requested and received bibliographic and other resource information. Other topics of interest included requests for information on University of Georgia Curriculum revision, resources for children with developmental disabilities and ideas for grant requests.

2. Training

The Center has continued to be extremely active in this area. Approximately 1500 adoption workers were trained in eleven states during the quarter. The following activities occurred:

~~~The Boston Post-Adoption Services Conference provided two days of training for 211 adoption and mental health workers from the New England area (see attached program and bibliography). Twelve distinctive workshops related to post-adoption services were
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provided. Dr. Ann Hartmann's keynote was also outstanding. The evaluations of the conference were excellent and indicated a continuing interest in more training on the topic. The participation in the conference was diverse with equal representation from public, private and mental health agencies. Financially the conference paid for itself including the time of Center staff in planning with the regional committee.

~~~Four training workshops were presented related to the placement of children with Developmental Disabilities; the Michigan Department of Mental Health contract received a six hour workshop for 27 workers on Working with Families. The Pennsylvania Council on Developmental Disabilities contract involved five hours of training for fifteen workers from four agencies on the topic, "The Adoption Process: Developing the Team Approach". Thirty foster parents at the Foster Parents Association Conference in Detroit received two presentations, "Helping Developmentally Disabled Children Achieve Independence" and "Adoption Issues".

~~~A workshop was presented at the AEA National conference in New Orleans for twenty-five participants entitled, "The Art and Practice of Networking in Adoption".

~~~A full day's statewide training was given in the State of Florida for 42 adoption supervisors entitled, "Risk Management in Special Needs Adoption".

~~~In Trenton, New Jersey, at the Division of Youth and Family Services, 50 participants attended "Difficult Issues in Life Book Work" and 55 attended "Assessment Issues".

~~~At the Special Needs Adoption Symposium sponsored by the Tennessee Department of Human Services, and the University of Tennessee, 50 people participated in each of 2 sessions, "Adoption Preparation" and "Post Adoption Services" held in Knoxville.

~~~150 people attended Kay Donley's keynote speech at the New Jersey Concerned Persons for Adoption Conference at South Orange.

~~~In Bloomington, Indiana there were 140 participants in each of 2 workshops, "Adopting the Teenager" and "Foster Care and Adoption", at the Indiana Association on Adoption and Child Care Services Annual Conference.

~~~At the Barium Springs Home 35 people attended "Children in Group Care with Adoption History" at Barium Springs, North Carolina.

~~~200 people participated in the Gaston County Mental Health Association and the North Carolina Department of Human Resources' Post-Adoption Services Conference in Gastonia, North Carolina. Topics presented were "Handling Disruptions" and "Threatened Families" with 100 attendees for each.

~~~In St. Paul, Minnesota there were 45 participants in "Assessing and Preparing Children for Adoption", at the Ramsey County Community Human Services Department.

~~~At the Three Rivers Adoption Council 75 people attended "Helping Families in Crisis" in Pittsburgh, Pennsylvania.

~~~45 people participated in the Hennepin County Community Services Department's session, "Working with Children in Placement" in Minneapolis, Minnesota.

~~~Also in Minnesota, at St. Paul, there were 40 attendees in "Working with Families" at the Post-Adoption Services Conference sponsored by the Ramsey County Community Human Services Department.

3. Consultation

The following consultation activities occurred during the quarter:
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*The State of Kentucky Department of Social Services and Mental Health received consultation regarding the methodology and content of training regarding post-adoption services.

*The State of Iowa Department of Social Services received consultation with a special training committee regarding the needs and priorities of special needs adoption training.

*Children Unlimited, a special needs adoption private agency in South Carolina, was provided assistance with a long range strategic planning need.

*Four special needs adoption agencies in Pennsylvania received at least monthly consultation regarding the placement of children with Developmental Disabilities. These agencies include: Project STAR, in Pittsburgh; Concern, in Fleetwood; the National Adoption Center, in Philadelphia; and Tabor, in Philadelphia.

*D.A. Blodgett staff, in Grand Rapids, Michigan continue to receive monthly case consultation as they progress in converting their agency's adoption program to one of special needs.

*Washtenaw County, Michigan, Department of Social Services staff received consultation regarding their adoption/foster parent group orientation training.

Senator DODD. You awarded a three-year grant to the National Center for State Courts for a national adoption information system. I wonder if you might tell us what will be included in this information system? How will it differ from the current voluntary cooperative information system designed to collect adoption and foster care information? And will the States be required to report adoption information, or will this again be another voluntary information system?

Mr. MOTTOLA. The Secretary has been directed by the Congress to set up an Advisory Committee on Adoption and Foster Care Information. That Committee had its first meetings this week on Monday and Tuesday.

The ultimate objective is to develop a more comprehensive foster care and adoption information system than currently exists. At this point, because the Committee is to provide advice, we cannot tell whether the end result will be a mandatory system or a voluntary system. I am sure those issues will be debated within the Committee.

But I think what will emerge will be a much more usable information system for both adoption and foster care than we currently have.

For instance, in the current voluntary system, we have some basic data but we have no real demographic information. We do not know what the adoptive children are like. We do not know what the adoptive parents are like. We do not know what the birth parents are like.

There are many things that we need to begin collecting and as a result of the task force we had two years ago, we concluded that the only real way to get this data is through the State court system, because every adoption has to be finalized through a court.

So that is where we think the real effort needs to be applied. We expect that the current effort will feed into the Advisory Committee effort and that by the time the Secretary is required to have a system up and running all of this will all have come together.

Senator DODD. Gathering of that information is really so important for all of us. Clearly, in a sense, far more important for you, Doctor, as you try and develop effective programs and so forth. It seems to me that the extent that we are able to track and gather information on that basis and determine which of these were most effective, we can begin to make some real improvements in those numbers. This is particularly important for minority children and the real special needs area where they are the most difficult to adopt.

Obviously, voluntary information is nice. It is a good way of getting it, but so often then it creates difficulties statistically when you are trying to prove something.

So I would urge that we take advantage of what I think is a good idea to use the court system, but we really need to get solid information out of that program so that we have a good data base, a consistent data base nationwide. I would urge that.

Strom, I welcome you, again, my leader here on the other side.

I have just asked some questions of Dr. Elder on the Adoption Opportunities legislation. I was about to go into some questions on the Family Violence. We are here to discuss these two reauthorizations. I will stop here so that you may make a statement, if you so desire, or ask some questions or whatever.

OPENING STATEMENT OF SENATOR THURMOND

Senator THURMOND. All right. Thank you very much.

Mr. Chairman, I wish to commend you for holding hearings on the Family Violence and Adoption Opportunities programs. I look forward to working with you in reaching a sound reauthorization measure for these programs. Mr. Chairman, you are also to be commended for the fine leadership you have exhibited in focusing attention on the adoption needs of children, particularly those requiring specials needs. You have certainly been a great advocate for the children of our Nation.

Mr. Chairman, a number of good programs have been established in South Carolina through support from the Family Violence program. For instance, the Greenville Junior League was instrumental in establishing a family counseling service which provides shelter for battered women in the area. They have also established and funded Pendleton Place, an emergency shelter for children and adolescent girls in Greenville. Both of these shelters receive support under the Family Violence program.

Mr. Chairman, I am also pleased to welcome Elise Mullins Evans from Columbia, South Carolina. Ms. Evans is the Board President of Sistercare Shelter, a fine organization in Columbia.

Ms. Evans, I am very pleased to welcome you here and look forward to hearing more about your activities in Columbia. I am confident this Committee will benefit from your comments.

Mr. Chairman, I regret that my schedule may not allow me to stay for the entire hearing, but I look forward to reviewing the testimony of the witnesses today.

I think we are very fortunate to have Dr. Elder with us. She is a very able, dedicated, competent American and doing a great job and I want to commend here publicly for the fine service she is rendering.

Senator DODD. I thank you for that, Strom, and I understand how these schedules do run, with everything else going on up here. But we will certainly see that any questions you may have are submitted.

I will move, if I can, Doctor, into the Family Violence reauthorization, and I will leave the record open on the adoption area. Obviously, it is a little disappointing not to have the support of the Administration, particularly when we have the data about the waiting lists and so forth.

I could understand your position if this were something that the States were really taking care of out there, but apparently that is not happening. As you pointed out in previous testimony, and I agree with you, in the areas of child abuse, the Federal Government can provide real leadership rule. In this rule, we can help pull together and develop consistent programs that work and really encourage localities to do things.

We are talking about numbers here that never even show up in the budgets. You know, the time we have spent here talking already would equal the amount of money we are talking about for these programs. Probably just the cost of the lights to run the buildings around here would equal that amount.

I do not mean to minimize it. As you point out, these things have gone up a little bit and it is not insignificant. But given the work these shelters are doing, is there something else I am missing here that causes the Administration to take the position you've taken with this program? In the context of numbers, it really does not amount to a great deal, other than the leadership it can provide.

Dr. **Elder**. No, sir. I do not think that there is anything that you are missing and I want to make it very clear to you that we have no disagreement with the need. The need is not the issue. We differ only on strategy.

The Administration has taken the position that very small categorical programs should be block granted so that local decision makers will have the flexibility to decide how to spend those monies. We have said in our budget documentation that we feel very strongly that the existing block grants can deliver this service.

Senator **Dodd**. Well, my staff here just gave me a note. On page 3 of your testimony, as you point out correctly, 54 States and Territories use the Title 20, Social Services Block Grants funds to provide protective services to children in the child abuse area. This supplements, as you point out, separate State grant dollars under the Child Abuse Prevention and Treatment Act.

In your testimony you, on April 1 you supported the reauthorization of the Child Abuse Prevention Act, and I am grateful to you for that. Therefore, it seems to me we are kind of at cross purposes here in a sense when you do not recommend the reauthorization of the Family Violence program.

The Title 20 funds given to States for Family Violence are used for shelters, I might point out, in only 15 States. So the Family Violence Act really does pick up a lot more than what the numbers would indicate.

Any comment?

Dr. **Elder**. No, sir.

Senator **Dodd**. In the original Act we established a National Information and Research Clearinghouse. I wonder if you might tell us what the status of the Clearinghouse is?

Dr. **Elder**. Janet, will you answer that?

Ms. **Hartnett**. Yes.

Senator **Dodd**. You are Janet Hartnett?

Ms. **Hartnett**. Hartnett, yes.

Senator **Dodd**. Janet, just for purposes of our record, what is your title?

Ms. **Hartnett**. My title is Director of the Division of Policy and Legislation in the Office of Policy, Planning and Legislation.

Senator **Dodd**. Thank you very much.

Ms. **Hartnett**. There is a provision in the National Clearinghouse part of the statute that requires us to pull together a compendium of all Federal assistance with respect to Family Violence. In the first year of the Family Violence program the Departmental Clearinghouse called Project Share pulled that information together for us and made it available to the States and to others on request.

This second year, in 1987, we are transferring funds to the Administration for Children, Youth and Families to work with the National Clearinghouse on Child Abuse and Neglect to add activities so that the Clearinghouse activities with respect to Family Violence are related to those with respect to child abuse.

Senator DODD. One of the requirements of Congress that we included in the Act was to give us an evaluation of the projects that were funded, and I wonder if you might have any evidence that you have collected so far to show what models funded last year are working?

Ms. HARTNETT. You are right. That section of the statute is titled "Evaluation" but it asks that the evaluation be based on the reports that come from the States. We have asked that the reports from the States be sent to us in December of this year for the activities that the States carried out with 1986 funds.

That is, as you point out, not really an evaluation. It is much more of a report. But as Dr. Elder said in her testimony, we have a fairly good idea of what the States did with those funds. Primarily, they distributed them through their Family Violence shelter system, or set up new shelters. A couple of States used it to start elder abuse shelters, or special programs for elder abuse.

It is hard to evaluate that kind of thing because in a sense on its face it meets the direct kinds of needs you were pointing out and that the Act requires.

Senator DODD. Do you have any recommendations that we might include? Let's assume for a second that I am actually going to get this reauthorized. What recommendations would you make that I put in the bill so that it would make that evaluation section do what I think you and I would like to see it do? Do you have any thoughts on that?

I am not asking you to endorse reauthorization. I am just saying, if you were going to do this, how can we improve that section of the bill?

Ms. HARTNETT. I suppose to require the kind of evaluation that you want.

Senator DODD. What would you want to have? What sort of evaluation would you want to have to determine the effectiveness of these programs?

Ms. HARTNETT. The same kinds of questions you were asking earlier with respect to adoption—what works? What does not work? What is most effective in preventing recidivism? What is most effective in either helping the couple get back together or providing for the independence of the two persons?

Senator DODD. What sort of technical assistance requests do you get from the States in this area?

Ms. HARTNETT. We have not had many. We refer people to the Departmental Clearinghouse. We refer people, also, to the National Woman's Abuse Prevention Project funded by the Department of Justice that is really much better organized to provide technical assistance right now.

Senator DODD. We talked about the Social Services Block Grants as an alternative. Correct me if I am wrong on this, but I mentioned and you did not argue with me, Doctor, that despite the fact that 54 States are doing things, only 15 States are actually using those monies for Family Violence.

Is that—you are shaking your head "no."

Ms. Hartnett. Dr. Elder's testimony was that 54 States provided protective services for children and 46 States also provided protective services for adults, and that includes services to battered spouses as well as to the elderly.

And that was in addition to services that States entitle Prevention and Intervention. Thirty-five States provide that kind of service. There are many overlaps, and service definitions, as you know, vary from State to State. That, to us, is a considerable record and considerable support for exactly these services.

Senator Dodd. Well, one of the key elements, obviously, in all of this is the shelter. I realize these other things are important, the counseling and so forth, but, as we point out, in Washington, D.C., we can only service one in every seven requests for shelter. My point was that Title XX is used for shelters in only 15 States. Am I wrong on that? Or do you know?

Ms. Hartnett. I would have to say we do not know.

For example, in the Social Services Block Grants, when States send in their plans—they are called pre-expenditure reports—they describe the services that they are going to provide. Some States give much more detailed information than others. Some States will say, we are going to support shelters. Other States will say, we are going to use these funds for our social workers to go out and investigate.

Senator Dodd. Our information is that only 15 were funding these shelters themselves.

Ms. Hartnett. Then you may have better information than we.

Senator Dodd. And you might want to check that to confirm it for me. You also indicate, Doctor, that States use their Title IV–B Child Welfare Services for Family Violence services.

To my knowledge these monies may not be used to fund Family Violence shelters which, as I mentioned earlier, was the primary purpose. Is that correct?

Ms. Hartnett. That is true in part. When we say that the Child Welfare Services program can fund these services, we mean services, for example, to prevent child abuse.

And under the Family Violence Prevention and Services Act, we did not think that the intent of Congress was to limit funding to shelters per se. The Act talks about services to victims of family violence and their dependents and allows the States to spend this money not only on shelter services—immediate shelter and emergency and food and clothing and so forth—but also on related assistance.

Related assistance encompasses a whole range of services to help people once an abuse incident has occurred. Such as self-help counseling, drug abuse and alcoholism counseling. These services are also funded under Social Services Block Grants and the counseling and the services to help parents can be funded under Child Welfare Services.

Senator Dodd. Do not misunderstand me. I am sensitive to the fact that we get into areas here where a lot of things move back and forth. It would be silly to suggest otherwise.

I am just trying to find out what States are doing with some of these programs. There are a lot of areas where States and localities can and are doing a great job. There is no point of us trying to jump in the middle of things in the areas where they are already doing what's needed.

But leadership is really needed is in establishing models. Further, what could be crucial to States so they do not waste their tax money is to gather and disseminate information and technical assistance. I do not want to let this Family Violence issue get lost in the shuttle of dollars back and forth.

I wonder if you might help me out by taking a look at the Child Welfare Services funds and to the extent possible determine if those dollars go into "Family Violence." Most specifically, I want to know if these funds go to the shelter area, the spousal abuse area. It would be helpful to see whether or not these funds are used for this kind of response out there.

And check on that 15-State area in the shelter thing for me, if you would, Ms. Hartnett.

[Information supplied follows:]

We have identified 21 States which use Social Services Block Grant (SSBG) funds to support family/domestic violence programs. They are:

Arizona
Connecticut
Illinois
Indiana
Kansas
Louisiana
Maine
Maryland
Mississippi
Nevada
New Jersey
New Mexico
New York
Ohio
Pennsylvania
Rhode Island
Texas
Utah
Virginia
Washington
West Virginia

Ms. HARTNETT. Our answer with respect to Child Welfare Services was in the context of inquiries from several States that called us after they received their Family Violence grant and said, between Title 20 and State funds, we have quite enough money for our Family Violence shelter system; may we use this money entirely for child abuse? And of course, the answer was yes, given the flexibility under the Act.

Senator DODD. Okay. That is a good point.

Dr. ELDER. In 34 States the same administering agency is running the Social Service Block Grant and the Family Violence program.

Senator DODD. I do not question them doing that. In some cases I think they may be doing it, and in some cases it may be more in the areas that are a little fuzzy and they would like to get their hands on the dollars.

That was not meant as an escape clause for States to get the dollars and not be focused on the area where we have a specific Act. People can argue about whether or not we should have had a specific or categorical program here. But it was the decision of a majority in the Congress, and the President by signing the bill into law, that we wanted to have a categorical program.

The States may have another agenda. That is fine and well and good, but they should not necessarily receive dollars that do not reach the goal that the legislation was targeted for.

Lastly, let me just ask you, if I can, Doctor about my concern regarding the delay in the grant application solicitations. Last year it was into June. I think this year you started May 6.

Is there any specific problem that I ought to know about that is creating this delay? Or is this just the bureaucratic problem? Or is it because there is the opposition to the reauthorization? What have we got here?

Ms. HARTNETT. Last year the grant awards were made in July and we continued funding on the same annual cycle. We would be glad to hear from any of the witnesses today if that is a problem because the States that we spoke with said that an annual cycle was preferable in terms of their RFP cycle.

Senator DODD. Well, what is the plan for next year? To move that further back?

Ms. HARTNETT. If we get feedback from the States that they can cope with the grant award in July and can cope with another grant award in November or December, we would be prepared to issue it earlier in the year. But the information we have is that once States were on their funding cycle, they preferred to continue it.

Senator DODD. All right. Thank you all very much.

As I say, there may be others who will have some questions—I may get back to you, as well.

Again, I want to thank you for your support on your special needs adoption area, and I will still try to convert you on the Family Violence reauthorization.

I appreciate your being here today on both pieces of legislation. We are looking forward, if we can, to getting some of that information back so that we can draft this legislation. And again, please submit any suggestions and thoughts you have on how we might strengthen these things. That is important, even in the case of the Family Violence legislation.

I know you disagree with it, but if you have some ideas on how we can make that better, I would appreciate hearing them since you are working in the area. You are the ones who have to administer these things; and if we are going to do it, we ought to do it in a way that makes it worthwhile.

So I would ask your assistance in that regard as well.

Dr. **Elder**. Thank you very much, Senator.

Senator **Dodd**. Thank you.

I will now invite our next panel of witnesses on Adoption Opportunities. This panel will highlight accomplishments of the Adoption Opportunities program and make recommendations for strengthening adoption agency activities in the areas of recruiting minority homes for minority children and explaining the provisions of post-legal adoption services.

Aileen Garriott is the Assistant Executive Director for Program, Catholic Charities/Catholic Family Services, Inc.; Hartford, Connecticut. You have been responsible, Ms. Garriott, for adoption services development as well as other areas of program development for Catholic Family Services for the past 15 years, serve as a member of the Connecticut State Commission on Children, and are also an adoptive parent. We welcome you today and thank you for coming down from Connecticut.

Bob Woodson is well known. We are delighted to have you here with us, Mr. Woodson. He is President of the National Center for Neighborhood Enterprises here in Washington, D.C. It is an honor for us to have you before this Committee today.

Currently Mr. Woodson is in the process of establishing a National Foundation for Homes for Black Children whose purpose will be to promote the development of black adoption centers around the country. He is also chairman of the Council for a Black Economic Agenda which serves as an advisory group to President Reagan.

Lastly, Mai Bell Hurley is the President of the Board of Directors of the Child Welfare League of America from Chattanooga, Tennessee. She has been the President of the Child Welfare League Board of Directors for the past year and has served as a board member for the past four years. She has also served as chairperson of the Child Welfare League's National Adoption Task Force for the past two years; and she holds a variety of other State, local and civic offices in her home State of Tennessee.

We are honored to have all three of you here. Sorry about the delay, and we will begin with you, Aileen Garriott, and again, we welcome you.

STATEMENTS OF LOU AILEEN GARRIOTT, ASSISTANT EXECUTIVE DIRECTOR FOR PROGRAM, CATHOLIC CHARITIES/CATHOLIC FAMILY SERVICES, INC., HARTFORD, CT; BOB WOODSON, PRESIDENT, NATIONAL CENTER FOR NEIGHBORHOOD ENTERPRISES, WASHINGTON, DC; AND MAI BELL HURLEY, PRESIDENT, BOARD OF DIRECTORS, CHILD WELFARE LEAGUE OF AMERICA, CHATTANOOGA, TN

Ms. GARRIOTT. Thank you, Senator Dodd. I want to thank you and the Subcommittee on Children for affording me this opportunity to address needs of waiting children and adopting families. I also want to say that I am very proud to be from Connecticut and to see the work that you are doing on behalf of families and children. It is an honor for us.

Senator DODD. Thank you. By the way, your testimony, and all of your testimony will be included in the record as if read. So if you find it easier to just paraphrase or talk extemporaneously, I will make sure that your words are duly recorded in their entirety.

Ms. GARRIOTT. Thank you. This is a new experience for me.

Senator DODD. Just relax. This is family.

Ms. GARRIOTT. I want to say that the bill as it was passed in 1978 and has been amended and used since has certainly had a considerable and very positive effect for children and families, both in Connecticut and Nationwide.

I would urge reauthorization of this bill, and I would like to spend the time of my testimony making some suggestions about how I would like to see it amended and strengthened in three areas. The first area is the question which has already had some discussion today about the search for minority homes for minority children.

More and more minority children are being released for adoption as infants; not necessarily just the special needs children that we have been discussing earlier. However, families are usually not available to offer them early placement.

In Connecticut 53.4 percent of the waiting children for adoption of all ages are minority children. Catholic Family Services has just received private funding to hire a minority social worker to begin a special needs adoption program focused on recruitment of minority homes.

We have been contacting other agencies and searching for resources and culturally sensitive assistance to get this program started, but the truth is that there is relatively little such knowledge and assistance that is accessible to us and I believe that while minority children wait for placement, even as infants, this process keeps repeating itself over and over.

I would like to suggest that through this law resources could be provided to create technical assistance and other incentives for services to this population. Some useful assistance would be help in identifying barriers to recruitment in each service area, providing access to model programs which have been successful in other similar service areas, and staff training in recruitment and public education strategies. We cannot just graft these programs on to our traditional adoption programs. We really do need special culturally sensitive resources and training.

The second area which I would like to see addressed is that of post-legal adoption services, which most frequently, I think, are left to chance and crisis. When the need is addressed, too often it is confined to medical and financial needs or subsidy, and while these needs are certainly important and should be available to every child and family who needs them, many other services are also important—services which could be made available to all adoptive families.

I would suggest that post-legal adoption services really should begin with the very beginning of the adoption process and recognize that adoption is a life-long affair, a life-long process. Some things that should be included in this process then are education about adoption issues from the child's point of view, education to the prospective adopting parents; support for parents in handling and anticipating the kinds of conflicts that might arise so that they can be dealt with more openly and skillfully in the family, with access to models of how to do this, and group support for them.

Again, training needs to be made available to adoption workers so that they can better introduce these services to families in the normal course of the adoption process and create the expectation with parents that services will be made available at least at each crucial developmental stage, such as three years old when the family would be beginning to talk about adoption with the child, the time when the child enters school, and adolescence, at a very minimum.

Another thing that I think is important here is the need for public education, since much of the trauma experienced by adoptees is at the hands of insensitive and uninformed school-mates and other people in the community who really do not understand adoption.

Our agency has offered support groups at intervals for adoptive parents and has found parents receptive to these and very appreciative of the help they offer. However, neither we nor the parents have the funds, really, to provide the kinds of post-adoption services which could be helpful to all parents, and I think this is a place where Government leadership would be very appropriate and helpful to create an effective public/private partnership.

The third area which I would like to address, which is related to the other two and which has already come up here this afternoon, is the need for data collection and analysis. We really just do not know enough about adoption. Parents need to know more. Adoption workers need to know more, and adoptees need to know more in order to increase the success of adoption for everyone at every developmental stage, and the ability to recruit and support families to adopt children with special needs.

It is estimated that one in six people is directly affected by adoption in their families. That is a lot of people, and these people do need more information and that information could readily be made more available to them if we took adoption as seriously as we take some other things we collect data about.

I would like to see this data give us more information about the role that adoption plays in how adoptees negotiate various developmental stages, why it is that it seems that a disproportionate number of adoptees are represented in institutional populations, and more longitudinal research on adolescence that would tell us more about adolescent and adult adoptees and how they have developed.

In addition to this I think we need to have this data geared from the very beginning to its relevance to adoption practice and its relevance to the kind of post-legal support services that we have been talking about needing.

I would conclude just to ask you to reauthorize this bill and to add to its effectiveness in some of these ways. I think your leadership is badly needed and much appreciated, when we have it, to create the kinds of partnerships that we need to meet these needs.

Thank you.

[The prepared Statement of Ms. Garriott follows:]

TESTIMONY GIVEN ON BEHALF OF ADOPTION OPPORTUNITIES

to the

Subcommittee on Children, Families

Drugs and Alcoholism

of the

Senate Committee on Labor and Human Resources

Senator Christopher J. Dodd, Chairperson

by
Aileen Garriott
Assistant Executive Director for Program
Catholic Charities/Catholic Family Services, Inc.
Archdiocese of Hartford, CT

Washington, D.C.
May 21, 1987

TESTIMONY ON BEHALF OF ADOPTION OPPORTUNITIES

First I want to thank Senator Dodd and the Subcommittee on Children for affording me on behalf of Catholic Family Services this opportunity to address the needs of waiting children and adopting families. I also might add that, while I want to suggest some added functions based on things we have learned since this bill was first passed in 1978, this is a law that has had considerable and positive impact for children, families, and agencies in CT, and I would assume nationwide. The issue is homes for children who would not otherwise have them and lifelong support for those families. This legislation is important to facilitate that.

I would urge you to reauthorize this bill and suggest amending and/or strengthening it in the following 3 areas:

1) Much controversy has surrounded the issue of placement of minority children in Caucasian homes, with the result that it has become the overwhelming preference of social workers and agencies to seek minority families for minority children. More and more minority children are being released for adoption, although families are often not available to offer them early placement. Last year minority infants placed with our Agency waited over 2 1/2 times as long in foster placement, an average of 81 as opposed to 31 days. This is a critical period in a child's development of attachment. Of 178

children waiting in CT on the adoption Exchange at this moment, 53.4% are minority children.

Some agencies have developed successful recruitment programs. Catholic Family Services has just received private funding to hire a minority social worker and begin a Special Needs Adoption Program. We are contacting other agencies and searching for resources and assistance to get this program started, but the truth is too little knowledge and assistance are accessible.

While children wait, this process repeats itself over and over from state to state and agency to agency. Through this law a vehicle and resources could be created to provide Technical Assistance and other incentives for services to this population. Useful assistance would be help in identifying the barriers to recruitment in each service area, provision of model programs which have been successful in other similar service areas, and staff training in culturally sensitive recruitment and public education strategies. Valuable time is lost in the lives of children as each community struggles alone to provide appropriate and timely adoption services to minorities and children with special needs and families with love to give them.

2) Post-legal adoption services are most frequently left to chance and/or crises. Usually the need is viewed as confined to medical or financial needs

for subsidy. These services are important and should be made available to every child and family who needs them. However, post-legal adoption services are important for all adoptive families to help support any adoption right up through the adolescent identity phase, with sensitivity to special needs which may intensify problems, and including the increasing numbers of international adoptions.

These services should be offered as part of the whole adoption package, so to speak, and should include education about adoption issues from the child's point of view, support for parents in anticipating and handling the kinds of conflicts that arise so that they can be dealt with more openly in the family, with access to models and group support. Training should be made available to adoption workers to introduce these services to families in the normal course of the adoption process, so that parents will expect that services will be made available at each crucial developmental stage, such as 3 years old, entering school and adolescence, at minimum. This should include public education since much trauma experienced by adoptees comes from insensitive and uninformed remarks and attitudes in the school and the community.

Catholic Family Services has offered support groups at intervals for adoptive parents. We have received a very positive response from parents, but neither they nor the Agency can afford to provide these services at the level at which they are needed. These should be specialized services that are not necessarily best provided by the same workers who do child placements. Another private agency in our area states that their recruitment efforts are greatly enhanced by their ability through endowment funds to provide these often expensive post-adoption services.

Federal support is appropriate here for several reasons, including the fact that parents frequently move from state to state or at least out of the area of the placing agency. With government leadership, an effective public-private partnership could be established to provide quality services and needed public education.

3) Section 5113 addresses the need for information and service functions under the Department of Health and Human Services. It is my understanding that this provision has been only minimally implemented although our data collection and analysis resources are now very sophisticated and are being systematically utilized in many less crucial areas of our lives.

I believe that more information about adoption would greatly increase the success of adoption for all concerned and our ability to recruit and support families to adopt minority children and children with special needs.

Data is also needed about the experience of adoption in general. We have operated too long on myths, both positive and negative. It is estimated that one in six people is directly affected by adoption in their family, yet we do not really know what role the fact of adoption plays in how adoptees negotiate the various developmental stages. Adoption workers and parents need this information. Mental health workers and others informally report that a disproportionate number of adoptees are found in institutionalized populations. However, no one really knows how many, under what circumstances or why. Research on adolescent and adult adoptees is meager and rarely applied to adoption practice or provision of post-legal support services. This data is needed in order to provide the most helpful post-adoption services and to know how to recruit families.

Please reauthorize this bill and add to its effectiveness in the ways I have suggested. Your leadership is badly needed by children and families to stimulate quality and timely public/private support for adoption opportunities in every state.

May 21, 1987

Senator DODD. Thank you very much. We will take some of your suggestions and try to incorporate them in part of the reauthorization process. It is very helpful to have that.

I now have to go vote. This is a primary responsibility. The little light on the clock up there lets me know I have about six minutes left, and so I am going to take a recess for a couple of minutes. I will come right back and we will proceed with you, Mr. Woodson.

I cannot predict these votes. If I do not vote, the folks back in Connecticut are not going to understand if I say I was listening to Aileen Garriott. [Laughter.]

Senator DODD. So this Committee will stand in recess for ten minutes.

[Brief recess.]

Senator DODD. The Subcommittee will come to order.

Mr. Woodson, we will be glad to receive your testimony under the same conditions that I expressed to Ms. Garriott. I will tell you as well that I am apt to get a few amendments that are coming up on the Floor, and we will just try and do them as quickly as we can so that we do not hold you up here.

So with that in mind, perhaps we could go right to the point of your testimony so that we get to the questions.

Bob?

Mr. WOODSON. Thank you, Senator. Because, I think, in your written statement you have summarized the problem adequately, let me go right to the crux of the issue as we at the National Center see it.

Traditional wisdom is that the problems with minorities, particularly black children in the system, is a dearth of parents either capable or willing to adopt these children, and therefore, that is why we have the condition of 169 boarder babies in New York and that we have people and children backlogged in the foster care system.

As you also noted, these conditions have been uninfluenced by Public Law 96.272. With all the training, with all of the other information going to systems improvement, the plight of minority youngsters has worsened.

There are a few other facts that I think need to be put into the record, Senator. And that is, according to studies that we have seen, 60 percent of the young people on the streets of New York who are homeless are graduates of the foster care system. Folsom Prison, that has all of California's violent offenders, 90 percent of that population has spent time in a foster care system. The mortality rate is twice the national average, and this has a devastating impact on the black community.

We challenge the notion that black families are unwilling or incapable of adopting. We challenge this for we know that in spite of all the One Church One Child recruitment efforts around the country that black families languish on waiting lists to be studied because the confront formidable barriers in trying to obtain their children.

Many of the families, for instance, are—the standard against which these families are being judged is Ozzie and Harriet and the Waltons, with the requirement that they be loving, responsible, mature and also capable of paying $5,000 for the adoption study in order to get an infant.

In Washington, D.C., a city that is 70 percent black, the minimum fee with private agencies to adopt an infant is $5,000. Not many of the families can afford to pay that, and many of the adoption agencies who say they are interested in recruiting black parents do not even have black families pictured on their recruitment brochures.

So we question whether or not they really and truly want these children.

When we at the National Center look for solutions to this problem, we searched in Detroit, Michigan with Homes for Black Children, an agency that was started by some black social workers about 15 to 16 years ago. What they did is challenge this notion by establishing an adoption agency in the black community operating not just nine-to-five five days a week, but on Saturdays, on weekends, in the evenings.

They reduced the study time from two years to six months. They eliminated income requirements. Many black families would come to traditional agencies without proper birth records, because if you are above a certain age and you were born in the South, you were born in a house by a midwife, and therefore you had no birth certificate. These would be rejected by traditional agencies.

Homes for Black Children, by contrast, helped them to find facsimiles. As a consequence of this sensitive, caring approach to recruitment, they were able to place 110 Black children the first year. That was more than the 13 public and private agencies combined and over a nine-year period they placed 800 children.

But when they attempted to take this approach nationwide with some assistance from HHS in 1980, they made these agencies in the local communities an adjunct to the existing traditional agencies with some interesting results. At that time there were 50,000 black children free for adoption in 1980, with 46 percent black. So the children, obviously, were there.

But when Homes for Black Children attempted to replicate the same experience in 10 other cities, the agencies refused to refer children to Homes for Black Children. In one city not a single child was referred in the year and a half of that agencies operations. Yet, HHS never asked for the money to be returned.

As a consequence, people pointed to this as a failure of the approach, not the failure of the agencies to cooperate with Homes for Black Children. And so, the only successful replication of that program is in Washington, D.C. Homes for Black Children in its first year, two years ago, placed over 100 children in Washington, D.C.

Again, that is more than all the public and private agencies combined. And then, when you compare this to the charge that black people are unwilling to adopt, this is absolutely false and untrue. It is because of the tangle of rules and regulations, because of bureaucratic ineptitude, because of insensitivity, and because of an unwillingness of a bureaucracy to free children that we regard as economic hostages since the bulk of the $5 billion spent on foster care goes to maintain agencies' staffs and what have you.

So, we believe that the only answer to this is for the black community to take charge of this. So, we are establishing a network of 10 black adoption agencies around the country and a network funded by the black community—not the Federal Government—

where we will be determining the standards against which black families will be judged.

So let me say, Senator, that the issue here is not a dearth of black parents. It is not an unwillingness for blacks to adopt. It is the tangle of rules and regulations that when they apply to black families act to discriminate and prevent them from adopting their children with devastating effect. We believe that the whole Homes for Black Children approach is what we are going to develop in a foundation.

Let me just give you one final example of just how pernicious the collective impact of these policies and practices are. In the State of Indiana about three months ago, the One Church One Child recruited over 150 families who have been waiting. Only 20 of these families were studied, and only six obtained children.

The State of Indiana took a 14-year old black male child, placed him with a white male homosexual couple in the State of Ohio as opposed to placing that child in a home with those 150 black families waiting. This is the kind of, not policies, but practice and customs that characterize our present foster care system that is helping in the disintegration of the black family.

I must take issue with the notion that we need to spend additional millions of dollars in post-adoption services, because I think some of these funds should be spent not in recruitment but in supporting efforts to transfer the authority to make the placement decision from some of the traditional agencies to the Black Church, like Father Clements and others, and other agencies like the National Center is getting ready to establish, so they can make the decision as to what constitutes an acceptable family for a black child.

When this occurs we will not have the situation that we have in New York City where in response to the boarder babies thousands of black families responded to the press attention, and yet they found it necessary to go to Fresh Meadows, Queens, New York, and establish a group home that was fire-bombed last month by the residents there who did not want these children in their home, when, in fact, thousands of black families want and very much desperately need to provide for these children.

I think, Senator, that more must be done to grapple with these issues. I know they are controversial issues, and I am not suggesting that the people who man these traditional agencies—I come out of them, I trained in them, I worked in them—but we have a tangle of rules and regulations that cause good people to do bad things.

I think if we are to really grapple with these issues, then we must come to terms with some of the issues that I am bringing to you today.

[The prepared statement of Mr. Woodson follows:]

Testimony before

the

Subcommittee on Children, Families, Drugs and Alcoholism

U.S. Senate

May 21, 1987

Hearing on:

Family Violence and Adoption Opportunities

Testimony Presented by:
Robert L. Woodson, President
National Center for
Neighborhood Enterprise

Mr. Chairman and members of the Subcommittee, my name is Robert Woodson and I am the President of the National Center for Neighborhood Enterprise (NCNE). The views I express today are not necessarily those of NCNE.

I appreciate having the opportunity to testify this afternoon on the reauthorization of the Adoption Reform Act of 1978 and offer recommendations focused on improving adoption services for minority children. I have chosen this focus because minority children are grossly over represented in foster care and the reforms sought for the foster care industry through Public Law 96.272 and the Adoption Reform Act have not been very effective for them.

To document this point, in 1977 when the foster care population reached its high of 502,000, minority children comprised 38 percent of the total. Currently, with the foster care population at a low of 275,000 nearly 50 percent are minority children.

To illustrate the disproportional representation of minority children, black children under 19 comprise 14 percent of the nation's population and 32 percent of the foster care population. White children, on the other hand, represent 75 percent of the nation's child population under 19, but only 53 percent of the foster care population.

In urban centers the situation is even more grim in that as many as 90 percent of the foster care population are minority children. In New York, for example, the population of Black and Hispanic children in foster care has increased from 75 to 90 percent over the past three years.

In 1980, a survey conducted by the Office for Civil Rights revealed more startling statistics regarding rates of out-of-home placements. While the national placement rate was four per every 1,000 children, the placement rate for white children was 3.1; for black children, 9.5; and for American Indian children 8.8. Oregon recorded the highest out-of-home placement rate for black children at 18.8, but nine other states, the District of Columbia and New York City recorded double digit rates ranging from 10.6 to 17.8.

The Adoption Reform Act has been instrumental in funding activities to identify barriers to the adoption of minority children and programs targeted toward improving adoption opportunities for them. To this end, training curricula has been developed and training sessions have been conducted for adoption workers in public and private agencies; funding for minority parent groups was made available for a one-year demonstration period; demonstration programs were implemented for recruitment efforts targeted toward prospective minority parents; and, a national exchange and various regional exchanges were funded to give children within and across state lines greater visibility to prospective parents interested in adopting children with special needs.

These programs have demonstrated that targeted recruitment efforts are highly successful in identifying minority families interested in adoption and that when culturally relevant and flexible eligibility criteria are applied, the adoption rates for minority children increase significantly. Why, then, do Black, Hispanic and American Indian children continue to be over represented in the group of children waiting to be adopted and to wait a disproportionally longer time for adoptive placements? The answer to this question is very simple. The ingredients for success have generally been limited to the scope and term of the demonstration projects and there has been little cooperation between those who recruit prospective adoptive parents and those hold the custody of children.

In every instance, successful projects were those in which minority communities were not only targeted for determining interest in adoption but they were integrally involved in all aspects of local adoption programs on an on-going basis. From this collaboration there developed trust and positive attitudes on the part of minority communities regarding agency adoption efforts that replaced previous skepticism and reticence. Agencies simultaneously broadened their recruitment efforts and designed more flexible eligibility criteria that served to screen in rather than screen out single parents, fixed and lower income families, families with children and non-professional persons.

All of these factors seen as contributors of success have been confirmed in a study of Adoption Services for Waiting

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Minority and Non-Minority Children submitted to the Department of Health and Human Services by Westat, Inc., in April of 1986. Success in these instances is measured by the increase in the pool of minority families, decrease in the time families and children wait for placement and increases in the actual number of placements.

An example of how well this works can be seen in the activity of agencies like the New York Council on Adoptable Children (COAC) who recruit and advocate for families interested only in adopting special needs children. Over the past nine months COAC facilitated placements for 72 special needs children the Public Department in New York City has projected a total of 650 adoptive placements during this fiscal year with the assistance of the 45 placement agencies throughout the city. Technically, projection suggests that each agency will place 14.4 children this year. Such a projection not only assesses unbelievably low placement expectations in a city where 17,000 children reside in foster care daily, but COAC with a meager staff of eight who apply culturally relevant criteria in their assessment process have in nine months already found what could be considered five times its "fair share" of placements.

It seems ironic that such a small agency can do so much for the so-called hard to place children while hundreds of "boarder babies" languish in New York City hospitals. City agencies say there are no families interested in taking in these infants regardless of whether they are healthy or ill. Yet, The New York

Times reported on December 12, 1986, that in New York City hospitals, 167 healthy babies wait for foster homes despite calls from thousands of families willing to take them.

Funding Failures

In reauthorizing the Adoption Opportunities Program, particular attention must be given to the fact that successful recruitment efforts alone do not ensure the placement of minority children. In Indiana, for example, a federally funded One Church One Child recruitment program was implemented because the state identified 197 black children who were legally free for adoption but for whom adoptive families were not available. In just one year, the program identified 150 black families expressing an interest in adoption. However, nearly a year and a half after the program's inception, only 20 of the recruited families have been studied by Indiana agencies and of those only seven have received placements.

The state of California has allocated $600,000 a for the last four years to the four minority recruitment programs each year. Yet, of the hundreds of families recruited directly through those programs, less than 5 percent have gotten through the system and received placements.

Funding Success

Activities funded under this program must be tied to placement outcomes. States receiving funding must demonstrate how they will involve various segments of the minority communities in outreach and in the development of eligibility, assessment and placement criteria that is culturally relevant. This could be done by using community members on advisory boards, families to review and monitor agency practices and progress in improving adoption opportunities for minority children. Staff and volunteers of community agencies and groups who have demonstrated success in recruiting families should be funded and granted authority to approve families and make placement decisions.

Recruitment programs that are independent of agencies should be funded under the conditions that there exist timetables to respond to inquiries; timetables to follow-up with families and agencies regarding referrals; a system to resolve disagreements regarding the appropriateness of prospective families; and agreements from specific agencies holding the custody of children that stipulate how they will respond and cooperate with recruitment efforts. Above all, there must be built in mechanisms for accountability to hold custodial agencies responsible for placement successes and failures and sanctions for non-compliance.

This would avoid situations like the one in which Homes for Black Children in Detroit received federal funding in the early 1980's to replicate its success in seven sites throughout the country. Each site was expected to identify 100 children so that the project could recruit and prepare prospective adoptive parents for them. However, during the three years of the demonstration project, not one site identified 100 children nor did they come close. In fact, one site never identified a single child. This happened at a time when available statistics indicated 50,000 were legally free for adoption throughout the United States -- forty-two percent of whom were presumed to belong to minority groups.

In order to ensure that agencies holding the custody of children are held accountable for their placements funded programs should only be those where the intent is to increase the visibility of children waiting and decrease the length of time they wait for adoptive parents.

Decisions regarding the adoptability of individual children and the appropriateness of those applying to adopt are made at local rather than the state level. Since states are not involved in placement decisions, funding to states under the Adoption Reform Act should require states to sub-contract with localities where the minority placement rate is above the national average or in localities experiencing difficulty in finding adoptive parents. In this way, the money made available for adoption opportunities will be closer to the children it is intended to benefit and in the hands of those directly responsible for making placement decisions.

Minority adoptive parent groups should be funded to act as outside reviewers to monitor agency adoption activity. These groups' primary functions have been to advocate for children trapped in foster care and for families seeking to adopt and those needing post adoptive services. They have developed over the years an excellent grasp of adoption issues. They are knowledgeable of strengths and weaknesses in the foster care systems and have first hand experience in dealing with situations unique to adoptive families. Because of their knowledge and experience they are the most logical entity to assist in the development of relevant criteria; to identify barriers to adoption; to recruit and prepare families for adoption; and to support families through the adoption process and beyond.

The Adoption Backlog

Children who have the goal of adoption but are not yet legally free should be among those receiving increased visibility and for whom adoptive families are actively sought. Adoption services are generally targetted to children whose parental rights have already been terminated, however, for many children, years elapse between the time adoption becomes the goals and an actual placement is effected.

Last year in Maryland, for example, a state task force found that it takes five years from the time adoption is identified as a goal for an actual placement to occur. In Baltimore City, seven years elapsed between the goal and the placement. Professionals in the field of adoption attest to the fact that the longer children are denied a permanent family, the greater the likelihood they will experience social adjustment, academic, behavioral and emotional problems.

Legal risk adoptive placements, that is pre-adoptive placements for children whose parental rights have not been terminated, should be pursued for these children. Such placements can insure that children are residing and bonding with families who intend to make permanent commitments to them while the legal process moves at its' own rate of speed. For 5-7 years in the life of children in foster care equals at least half of their lifetime. Efforts to redress this specific atrocity against children must be coordinated with judicial systems.

Conclusion

Minority children represent approximately 14 percent of the nation's population under 19 year old, yet they represent nearly 50 percent of the foster care system. They are younger and healthier than non-minority children yet they wait longer for adoptive placements.

Minority recruitment programs have demonstrated that minority families respond in significant numbers to the cry for adoptive parents yet they are screened out by irrelevant criteria or wait for inordinately long periods before receiving placements.

Coordinated efforts between community groups and adoption agencies and exchanges have proven to be successful in increasing adoptions for minority children. Activities funded under the Adoption Reform Act must be directed at insuring that placement, not process, is the only measure of success, and that these activities become institutionalized as standard practice rather than time limited demonstrations.

I thank you for the opportunity to testify on this issue. I urge the re-authorization of this legislation and a minimum of $3 million dollars be set aside to address issues and problems I have identified regarding minority children needing adoption service in America. I hope the information and suggestions given will enable you to direct policy and resources so that the quality of life for children in desperate need of permanence is improved in a timely and relevant fashion.

Senator DODD. Terrific. I thank you. Excellent testimony. I wish we had had you here a couple of years ago to talk about this because the implication of testimony presented at that time was that there was an absence or a lack of black families willing to adopt black children.

I think your testimony here makes a great deal of sense. I think it is accurate, and certainly a lot more can be done in that area.

In fact, Aileen, I am going to raise an issue with you. Rachel Roussow—I do not know if you know Rachel Roussow and her family?

Ms. GARRIOTT. Yes, I do.

Senator DODD. They are just a remarkable family in Connecticut. She and her husband have adopted multiply handicapped children. How many do they have now? Twenty?

It is a house you will not believe. You go into this house with these kids. It is just terrific.

She got in touch with me the other day. We have six Hispanic boys in the Hartford area who are up for adoption; perfectly healthy kids, in this case. They are not handicapped in any way, and they are being told the only place they can find an adoptive family for them is in Puerto Rico.

That is just ridiculous. We have 300,000 Hispanics in the State of Connecticut. Rachel wants to know if you know of anything that could be done.

Ms. GARRIOTT. Okay. I will talk to Rachel.

Senator DODD. Okay. Ms. Hurley?

Ms. HURLEY. Yes. I am Mai Bell Hurley. I have one of those strange Southern names, Senator. I am delighted to be here and to represent the Child Welfare League of America, and certainly we are in substantial agreement with the testimony that has gone before.

Senator DODD. Mai Bell, I want to mention something to you. That light went on again, but let's proceed. If I wave at you, it means I am going to interrupt you if we have not gotten to the end of your testimony because I have to go to vote.

Ms. HURLEY. Fine. I do want to thank you for all that you are doing on behalf of children who are abused, and particularly what you are doing on behalf of the Young Americans Act, which we think is one of the most substantial efforts that is going forward today.

Senator DODD. Thank you.

Ms. HURLEY. We appreciate this invitation and an opportunity to appear before you to share our views of the Child Welfare League and its 465 member agencies and many other individual members.

We are very hopeful that our agencies are not behaving as traditional agencies and that they are, in fact, following what Mr. Woodson has described, because we are perfectly aware that there are minority adopting parents out there and we hope very much that our agencies are pursuing his suggestions in trying to find them.

Our recommendations to you are four: The program, we believe, should be reauthorized for four years; the funding level, we believe, currently at $5 million, should be increased by $5 million to a total of $10 million for each of four years; within these increased funds we think that $3 million should be set aside for targeted efforts aimed at the recruitment of and placement in permanent minority homes for minority children who are in foster care and who have permanency planning goals as their option for adoption; and additionally, we are urging the Subcommittee's support for the creation of a new program funded at $10 million for each of the four years for post-legal adoption services.

I guess I would differ with my associate who testified before me, but we do think post-legal adoption services are very important for all children, and particularly for minorities.

Let me first address our concerns with respect to minority children in foster care who are waiting for a permanent family. The unfortunate fact is that minority children are disproportionately represented throughout every aspect of the foster care system. They comprise only 14 percent of the Nation's population under 19 years of age, yet they comprise nearly 50 percent of the total national foster care population, approximately 45 percent of the total number of children in foster care who are legally free or who have the goal of adoption.

They also wait a longer period of time to be placed in a permanent home as compared to non-minority children in the system. On a more positive note, we know that where targeted and comprehensive efforts are made, minority homes for minority children are found, often without great difficulty.

The next hurdle in the process seems to come after families have been identified in terms of the actual placement of the child as has been described. Once a family has identified, adoption agencies, either State or private, are charged with ensuring that the prospective family is the best suited for and in the best interest of the child. Our prospective always comes from that of the child.

One would expect that this process does take time, but it is important to work with the family to ensure their understanding of their responsibilities and obligations to a child they adopt. It is likewise important that the child be ready to adjust to yet another change in his or her life. However, it is equally important not to prolong the process to the point where the family may lose interest or drop out all together.

An example of this was recently presented by the New York Council on Adoptable Children to the House Select Committee on Children, Youth and Families. COAC, which helps the City of New York recruit families for waiting children in foster care, testified that they currently have an average of 424 families, 383 of whom are Black or Hispanic, waiting an average of two years and three months before the process is completed; that is, before the child is actually placed with the family.

These families have been recruited for the purpose of placing some of the 3,800 children waiting in New York City's foster care system—I may be duplicating previous testimony, but I want you to know the Child Welfare League is very much painfully aware of it. Ninety percent of these children are Black or Hispanic, and this one agency has been able to locate 424 homes in which to place these children, but because of the delays experienced in actually completing the process, COAC reports that up to 25 percent of the families drop out before the adoptions are completed.

What we are proposing in order to avoid this is a comprehensive and specifically targeted effort that begins at the front end of the process with outreach and recruitment activities aimed at identifying prospective families and that continues all the way through the process to the placement of the child in the family.

We would suggest that such an effort include programs of education and training of professional and paraprofessional staff—it may simply be they do not know the way to do this as well as they should—whose only responsibility would be the recruitment of prospective families, and once such families are identified, assisting them through the system until the child is finally placed in the home.

We believe that such an effort is critical to ensuring that children who might otherwise grow up in foster care be provided the opportunity to grow up as part of a permanent family.

The next part is on post-legal adoption.

Senator DODD. Why do you not stop there, then.

Ms. HURLEY. All right.

Senator DODD. We have two votes back-to-back. I will catch the end of this first vote and the very beginning of the next one. I will try and make it only ten minutes, but we have two votes.

The Subcommittee will stand in recess.

[Brief recess.]

Senator DODD. The Subcommittee will come to order.

Proceed, Mai Bell.

Ms. HURLEY. On the subject of post-legal adoption, we are also urging the Subcommittee's consideration of a new program in that area funded at $10 million per year. The need for post-legal adoption services—that is, after the finalization of the adoption—is critical in maintaining families that have been created in this manner.

It is our opinion that the provision of such services as part of the Adoption Opportunities program is entirely consistent with one of its primary purposes, and I quote: "To provide permanent and loving home environments for children who would benefit by adoption."

But ensuring loving home environments for children through adoption simply does not occur because the adoption is finalized. That is just the beginning.

The way our present system is structured, with all services ending at the point of finalization, the adoption is viewed as a solution unto itself, a solution which is ended at the Court House steps with the signing of papers. However, as we have become more successful in placing children in adoptive homes, the more families are returning to the system in crisis and in need of post-legal adoption services.

Unfortunately, there are only a handful of agencies and a few private therapists with any kind of specialized adoption counseling programs. Many families report having encountered counselors and therapists who lacked knowledge and familiarity or understanding of adoption. Sometimes parents struggling to maintain a family with a troubled adopted child are asked why they adopted in the first place and are advised to send the child back.

Unfortunately, our residential and group care facilities are reporting that more and more children are being sent back. In an effort to quantify the extent to which this is occurring, a project operating out of the league, the Family Builder's Network, surveyed 107 group care facilities located in 11 states representing 4,100 children and found that 10 percent of the children in care were adopted. Of this number 38 percent had been adopted as infants, and 62 percent were adopted as older special needs children.

A similar survey was undertaken by the American Association of Children's Residential Centers and the National Association of Psychiatric Treatment Centers which, based on responses from 51 facilities, found that 14 percent of the children in care had been adopted; 51 percent as infants, 49 percent after infancy.

These percentages—10 percent and 14—are striking relative to the fact that of the total U.S. child population under age 18, adopted children comprise only 2 percent. Moreover, as substantiated by our members, at the base of the family crisis giving rise to such out-of-home placements are issues related to adoption.

In the process of becoming fully functioning adults with strong egos and realistic self concepts, we all search for our identity and go through the process of understanding who we are. It is a process made all the more difficult for children who are adopted. Some of these may relate to never having resolved the loss of their birth parents, or never fully believing that adoptive parents are their real parents.

For children who are adopted as special needs or who come from other countries, these issues are even more compounded. Many of the children with special needs come into the system at young ages having been abused or neglected, or having been born with severe physical handicaps, and become legal dependents of the State because their parents are unable to adequately provide for their care.

For these children then, there is more than permanency planning, more than recruiting and placing them in so-called permanent homes. In order that these families be truly permanent, we need to provide them with ongoing support through post-legal adoption services.

In concluding my remarks, Mr. Chairman, I would like to put on the record the fact that the development of these recommendations has taken approximately two years in the making. Before I was President of the Child Welfare League I served as the Chairman of its National Adoption Task Force which was created in February of 1985 to identify and take leadership in this most important issue facing the practice of adoption today.

A survey was distributed to League members through the Task Force asking for input as to what these issues must be. Based on the response of 150 agencies which represent a large number of people all over the country, all of whom provide a wide range of adoption services, there were three priority issues.

The first was the recruitment of adoptive families for minority children. The second was special needs adoption, and the third was the provision of post-legal adoption services.

After a series of meetings the Task Force has developed a report and reaffirmed a model statement of post-legal adoption services—which I would be glad to put on the record—and then in November of 1986 the League held a biennial assembly which was designed to serve as a forum for all of its members to debate to clarify and come to a consensus on a number of major issues in this field. In the area of adoption, the assembly came to a consensus around nine different resolutions, two of which were particularly related to the issues I just discussed.

Let me read, if I may in closing, this one statement from the biennial assembly:

> Adoption is a life-long process. Agencies should develop and provide a full continuum of adoptive services. Agencies providing services should maintain active contact with assenting members of the adoption triad, providing easy access to post-legal adoption services. Continued research and training should be vigorously pursued in these service areas.
>
> Children are entitled to placement within a family of the same race and same culture, and wherever possible, siblings should be placed together. Child placement agencies should assure that the same-race, same-culture placements are aggressively pursued.
>
> When determined efforts to affect such placements have failed or been exhausted, alternative placements may be considered. CWLA should take a leadership role in promoting this philosophy, policy and practice on international, national, state, provincial and local levels.

That is the end of the statement.

We are asking that you, too, embrace these concepts by amending the Adoption Opportunities program to provide for two initiatives I have just discussed, which work hand-in-hand as far as we are concerned: (1) the recruiting and placing of children in permanent families; and (2) making sure that these families stay together through post-legal adoption services.

Thank you very much.

[The prepared statement of Ms. Hurley follows:]

CHILD WELFARE LEAGUE OF AMERICA, INC.

TESTIMONY OF

MAI BELL HURLEY
PRESIDENT OF THE BOARD OF DIRECTORS
THE CHILD WELFARE LEAGUE OF AMERICA

BEFORE
COMMITTEE ON LABOR AND HUMAN RESOURCES
SUBCOMMITTEE ON CHILDREN, FAMILY, DRUGS AND ALCOHOLISM

U.S. SENATE

MAY 21, 1987

HEARING ON:

REAUTHORIZATION OF THE
CHILD ABUSE PREVENTION AND TREATMENT ACT AND
ADOPTION REFORM ACT OF 1978

GUARDING CHILDREN'S RIGHTS • SERVING CHILDREN'S NEEDS

Mr. Chairman and Members of the Subcommittee, my name is Mai Bell Hurley and I am testifying this morning on behalf of and as President of the Board of Directors of the Child Welfare League of America. Prior to my election as President in 1985, I served on the League's Board in the capacity of Chair of the Membership Committee and the National Adoption Task Force, which was created by the League in February, 1985. Much of what I will present to you today, with respect to the Adoption Opportunities Program, comes directly from the recommendations made by the CWLA National Adoption Task Force to the League's Board of Directors. Having taken part in the development of such recommendations, first as Chair of the Adopton Task Force and now as President of the League's Board of Directors, it is very exciting for me to now carrying forth these recommendations to a U.S. Senate Committee. Thank you for this opportunity.

The Child Welfare League of America, established in 1920, is the only national voluntary organization and standard-setting agency in the child welfare field. The League is comprised of 475 public and private voluntary not-for-profit member agencies and 1600 affiliates who provide various child welfare services to children and their families throughout North America. Such services include adoption, foster family care, residential treatment, group homes, home-based social services, day treatment and child day care. Examples of League member agencies include, the Connecticut Department of Children and Youth Services; the South Carolina State Department of Social Services; the Utah Department of Social Services; the Coalition for Family and Children's Services in Iowa; Child and Family Services of Newport County, Rhode Island; and the Massachusetts Society for the Prevention of Cruelty to Children.

We appreciate the invitation and opportunity to appear before the Subcommittee to share with you our views on issues related to the programs which are presently before the Subcommittee for purposes of reauthorization -- The

Child Abuse Prevention and Treatment Act, The Adoption Reform Act of 1978 and the Family Violence Prevention and Services Act. We would like to focus our remarks particularly on the Adoption Reform Act of 1978 (hereinafter referred to as the "Adoption Opportunities Program") and comment briefly on the Child Abuse Prevention and Treatment Act as well as the Family Violence Program. Specifically, we would like to address our remarks to the following recommendations which we believe, if enacted, would greatly strengthen these programs by addressing the current needs in both the fields of adoption and child abuse.

With respect to the Child Abuse Prevention and Treatment Act:

- CWLA urges that the National Center on Child Abuse and Neglect (NCCAN) be required to compile and analyze case data related to the nature and extent of officially reported child maltreatment in the United States.
- CWLA urges that the authorized funding level for FY 1988 be increased to $50 million.

With respect to the Adoption Opportunities Program:

- CWLA urges that the authorized funding level for FY 1988 be increased from the current fully funded level of $5 million to $10 million, and, that within this increased level, $3 million be set-aside for targeted efforts aimed at the recruitment of and placement in permanent minority homes for minority children who are in foster care, defined as children with "special needs" and who have the permanency planning goal of adoption.
- CWLA urges a new legislative authority, funded at $10 million, for post-legal adoption services.

Child Abuse Prevention and Treatment Act: In our opinion, this program should remain basically as is. We believe that this program, as currently written, provides states with a great deal of flexibility in administering their child protective service systems while insuring adequate and needed protections for children who are reported as abused and neglected.

However, we would like to recommend one slight change related to NCCAN's collection of data from the field. Since 1976, NCCAN has funded a national reporting study for the purpose of gathering data from the states regarding the number of reports received over the previous year related to abuse, neglect and child sexual abuse. In 1984, the latest year for which this study was published, all 50 states, the District of Columbia, Guam, Puerto Rico, the Virgin Islands and Marianas Islands, contributed data on the total numbers of child abuse and neglect reports received in that year. This data is what produces information regarding the total number of reports of abuse and neglect each year which allows us to chart whether increases or decreases have occurred from one year to the next.

In combination with the collection of data related to the number of reports, NCCAN has also funded a more detailed analysis, utilizing "case data" in the form of computer generated files from the states wherever such information is available. In 1984, 30 states and territories representing 61 percent of the total U.S. child population provided such data. In 1984, the type of information generated from such an analysis included:[1]

o "Type of Report ... neglect, alone or in combination with abuse, is the most frequently reported type being reported in approximately 58 percent of all cases of child abuse and neglect. Abuse is reported in approximately 50 percent of all cases, where abuse generally included reports of both physical and sexual maltreatment ..."

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[1] Highlights of Official Child Neglect and Abuse Reporting, 1984, The American Humane Association.

- "Source of Report ... the types of individuals who report suspected maltreatment to child protective services agencies are evenly divided between professional sources and nonprofessionals. It is interesting to note that it is the victim's own friends, neighbors and relatives who constitute the single largest group of reporters..."
- "Substantiation Status .. Based on data from 19 states, a national estimate of 727 thousand reported children were considered substantiated for child abuse and neglect by CPS systems. This represents approximately 42 percent of the 1.7 million children who were reported in 1984..."
- "Summary Profile of Reported Families ... average age of involved child was 7.2 years... 48% were males, 52% were females...67% were White, 21% were Black, 10% were Hispanic and 3% were categorized as Other."

This type of information goes on and on -- Perpetrator Descriptors (for example, the average age is 31.5 years); Type of Maltreatment Associated with Fatalities (for example, major physical injury is indicated for 47% of fatalities, deprivation of necessities or neglect is indicated in 44% of fatalities and minor physical injury accounts for 21%); Profile of Families, Characteristics by Substantiation Status; Characteristics for Emotionally Maltreated Children, etc.

Funding for the 1985 study was the first year in which NCCAN did not fully fund this type of analysis. In fact, the funds made available were sufficient only to study data from five states. It would appear that NCCAN's commitment to this type of data gathering is waning and it is our opinion that the collection of same should not be left to the discretion of any Administration but rather mandated in order to insure the continuing and consistent collection of such information.

The collection of such data is critical to the field of child abuse and neglect for the following reasons:

(1) There is a developing continuity of reporting data over the past ten years. The depth of data is sufficient to begin utilizing it for time series studies which, when coupled with other information about the child protective service system, have the potential to reveal a great deal about the forces that interact with and drive the system.

This then would allow for the development of training programs for protective service workers as well as shore-up state systems based on information about "what-we-know"" relative to the national profiles of maltreatment, descriptions of involved children, caretakers, perpetrator, source of report, etc.

(2) Data collection for a revised National Incidence study occurred in 1986 and is in the process of finalization. Because of important revisions in the incidence study methodology, more appropriate comparisons with reporting data will be possible than was the case with the 1979 incidence study. This has several important benefits having to do with more precise calibration of incidence study data (which is sampled) to the case specific data from the reporting study (which is not sampled.)

Calibration of data will provide us with an ability to adjust the reporting data if necessary for "representativeness." This means that we can have more confidence in our national estimates based on reporting data; however, this cannot occur until there is more complete case data in 1986.

Accordingly, CWLA urges that that NCCAN be required to compile and analyze case data related to the nature and extent of officially reported child maltreatment in the United States, to include case data from the maximum number of states possible and not less than the level of effort with regard to the case data analysis in 1984.

With regard to the overall funding level of the Child Abuse Prevention and Treatment Act, CWLA urges an increase in the authorization levels for each year and specifically, for FY 1988, we would suggest the figure of $50 million. This, as you know, compares with the current authorization level of $43.1 million and we believe could be used by the states in shoring-up their systems in whatever way they considered necessary (i.e., training, public education, establishment of multi-disciplinary teams, etc.)

Adoption Opportunities Program: Since its inception in 1978, the primary purpose of this program has been to support activities which serve to increase adoption opportunities for children in need of permanent, adoptive families and to ensure the adoption of children with special needs by eliminating barriers which might prevent such adoptions from occurring. Tremendous strides have been made in the advancement of such goals through the funding of state and regional-wide training conferences; the development of curriculum materials for state adoption workers and supervisors; funding of the national and various regional adoption exchanges which help to match a family in one state who is interested in adopting a child located in another state; the funding of specific targeted efforts to recruit permanent adoptive homes for waiting children -- all of which have contributed to forcing systemic changes around the notion that "no child is unadoptable."

CWLA believes that such activities should not only continue but be expanded by increasing the authorized funding level by $5 million, resulting in a total authorized level of $10 million for FY 1988.

Within this increased level, CWLA urges that $3 million be set-aside for targeted efforts aimed at the recruitment of and placement in permanent minority homes for minority children who are in foster care, defined as children with "special needs" and who have permanency planning goal of adoption.

We believe that such a targeted effort on behalf of minority children is necessary since the placement of these children in permanent minority homes has been one of the more problematic issues in the field of "special needs" adoption for the last several years. According to the most recent figures from the U.S. Department of health and Human Services (HHS) approximately 36,000 children with special needs are waiting to be placed in adoptive homes. Of this number, 42% are minority, 37% are handicapped, the median age is 12 and 68% have been in foster are for 2 years or more. There is much evidence that where targeted, comprehensive efforts are made, homes for minority children are found, surprisingly, often without great difficulty. The next hurdle in the process seems to come after families have been identified in terms of the actual placement of the child. Once a family is identified, adoption agencies, either state or private agencies, are charged with insuring that the potential family is the best one suited for and in the best interest of the child. The breakdown in the process seems to occur at this point -- in actually moving the families through the system to the point at which children are actually placed with them. For example, the New York Council on Adoptable Children (COAC) recently testified before the House Select Committee on Children, Youth and Families that they currently have an average of 424 families (383 of whom are Black and Hispanic) waiting an average of 2 years and 3 months before the process is complete; that is, before the child is actually placed with the family. These families have been recruited by COAC for purposes of placing some of the 3800 children currently waiting in New York City's foster care system who have the goal of adoption. Ninety (90%) of these children are Black or Hispanic and just this one agency has been able to locate 424 homes in which to place these waiting children yet, because of the delays experienced in actually completing the process, COAC reports that up to 25 percent of the families drop-out. The obvious affect of this is that some of these children who might otherwise have been able to grow-up in a permanent adoptive home, continue to wait and grow-up in the foster care system.

What CWLA believes is needed is a comprehensive and specifically directed effort that begins at the "front-end" of the process, with outreach and recruitment activities aimed at identifying prospective families and continues all the way through the process, to the placement of the child with a family. A precedent exists for such a targeted effort under the Child Abuse and Treatment Act, with regard to the so-called "Baby Doe" amendments of 1984. Such amendments authorized additional grants to the states for the purpose of developing, establishing, operating and implementing procedures for programs aimed at disabled infants born with life-threatening conditions. These grants encouraged states to develop programs of education and training of professional and paraprofessional staff as well as coordinated existing and necessary services related to such infants. Today, just over 2 years following the implementation of these requirements, virtually every state agency has in place a procedure, system and program for addressing the needs of these infants.

CWLA is suggesting that a similar type of focused effort be developed, one which is targeted specifically to the population of waiting, minority children with special needs. Similar to the "Baby-Doe" programs, such an effort should include programs of education and training of professional and paraprofessional staff, whose only responsibility would be the recruitment of permanent homes and the placement of minority children into those homes. This, to insure that waiting minority children with special needs do not continue to wait a disproportionately longer period of time than other children with special needs.

In addition, CWLA urges new legislative authority, under the Adoption Opportunities Program, for a demonstration program for post-legal adoption services. We strongly believe that this is a critically necessary adjunct to the Adoption Opportunities Program and entirely consistent with its purpose as defined in the Findings and Declaration of Purpose, as follows:[2/]

[2/] From Title II, "Adoption Opportunities," P.L. 95-266, "The Child Abuse Prevention and Treatment and Adoption Reform Act" of 1978.

> "...It is, therefore, the purpose of this title to facilitate the elimination of barriers to adoption and to provide permanent and loving home environments for children who would benefit by adoption, particularly children with special needs..."

CWLA submits that the responsibility of this program to insure "permanent and loving home environments for children who would benefit by adoption," does not end with the finalization of the adoption. The fact that a court decrees an adoption to be final does not also decree that this new family will automatically become the "loving home environment" envisioned by this law. If we have learned anything over the last 10 years of the operation of this highly successful program it is that the families that "we" have formed through the workings of this program and other federal efforts, do not stop needing "the system" once the adoption has been finalized. Indeed, their needs are just beginning while the needs of the system as presently established are ending, with placing the child in a so-called "permanent and loving home environment." The present system then tends to view the adoption as a solution unto itself, a solution which is ended at the courthouse steps, with the signing of the papers.

However, we now know that the system as presently constructed is not in step with reality; that is, the needs of adoptive families. And, as a result, as we become more successful in placing children in "permanent, loving home environments," the more families are returning to the system in crisis and in need of post-legal adoption services. Unfortunately,there are only a handful of agencies and a few private therapists with any kind of specialized adoption counseling programs. Many families report having encountered counselors and therapists who lacked knowledge, familiarity or understanding of adoption. Sometimes parents struggling to maintain a family with a troubled adopted child were asked why they adopted and were advised to "send the child back."

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However, we now know that the system as presently constructed is not in step with reality; that is, the needs of adoptive families. And, as a result, as we become more successful in placing children in "permanent, loving home environments," the more families are returning to the system in crisis and in need of post-legal adoption services. Unfortunately,there are only a handful of agencies and a few private therapists with any kind of specialized adoption counseling programs. Many families report having encountered counselors and therapists who lacked knowledge, familiarity or understanding of adoption. Sometimes parents struggling to maintain a family with a troubled adopted child were asked why they adopted and were advised to "send the child back."

In the interest then of keeping these families together, CWLA believes that necessary and appropriate support services must be provided to adoptive families. CWLA further submits that such services should be available to every adoptive family inasmuch as current data indicate a growing incidence of families having adopted children as infants, turning to the child welfare system for help and finding none, place the child in foster care.

As previously indicated, CWLA has within its membership, agencies providing the total range of out-of-home care services and for the past several years, many of these agencies have been reporting that more and more children who were adopted as infants, often now at the age of puberty or adolescence, are being placed in their care. Approximately 2 years ago, an effort to quantify this was undertaken by an 11 year-old project within CWLA, known as the Family Builders Network, a group of non-profit adoption agencies dedicated to serving older, handicapped, minority children. Under the auspices of this project, a survey was conducted of 107 group care facilities located in 11 states[3/] representing 4100 children. This survey found that approximately 10 percent of children in care were adopted. Of this number, 38 percent had been adopted as infants and 62 percent had been adopted as older, possibly "special needs" children. Around the same time, a similar survey was undertaken by the American Association of Children's Residential Centers (AACRC) in conjunction with the National Association of Psychiatric Treatment Centers (NAPTCC), both national organizations whose members provide interdisciplinary mental health treatment for emotionally disturbed children and their families. Although the AACRC/NAPTCC survey was smaller, based on responses from 51 facilities, the results were

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3/ These states include: Florida, Georgia, Illinois, Kansas, Massachusetts, Michigan, New Jersey, New York, South Carolina, Texas and Washington.

somewhat similar: 14 percent of children in care were adopted; 51 percent of this number had been adopted as infants and 49 percent were adopted after infancy. What is perhaps most striking about this data is the fact that of the total U.S. child population under age 18, adopted children comprise only 2 percent. Therefore, the percentages indicated by these two surveys point up a disproportionate number of adoptive children going into out-of-home care. Moreover, as substantiated by our member agencies, at the base of the family crisis giving rise to the child's out-of-home placement, are issues related to adoption.

For the child, such issues may relate to never having resolved the loss of their birthparent(s) or never fully believing that their adoptive parents are their "real" parents. Society can be inadvertently cruel to children who are adopted by giving insidious messages that being adopted means never really belonging to any family. In the process of becoming fully functioning adults, with strong egos and realistic self-concepts and images, we all search for our identity and go through the process of understanding "who we are." It is a process made all the more difficult for children who are adopted, given such messages. And, adoptive parents,in order to help their children through these issues, need to believe that they are "real" parents and that their children are their "real" children. Before such issues, which are uniquely related to adoption, are dealt with, the "normal " process of development for children, for parents and for families, will not occur.

For children who are adopted as "special needs" or who come from other countries, these issues are even more compounded. Children with special needs are typically children who have been adopted often after a prolonged period of time spent in foster care -- 5 or 10 years is not unusual for some of these children. Many of these children come into the "system" at young ages, having been abused or neglected by their parents, whose legal rights to their children are subsequently terminated, a process which is itself often prolonged and extremely traumatizing to the child. Many of these children come into the "system" after having been born with severe physical handicaps and, because their parents may be unable to adequately provide for their care, the state becomes their legal custodian. It is for these children that efforts under the Adoption Opportunities Program and other federal initiatives are primarily focused. However, it is a focus that is one-sided -- related only to recruiting a family and placing the child. Once this occurs, we shut the door in their faces and beyond wishing them "a nice day" effectively wish them "a nice life." When they return to the system seeking support and counseling, 6 months or 6 years later, we respond as though we have fulfilled our obligation by placing the child and now have no further responsibility. But, we do. We must do more for these families --we have helped to create them and we must help them stay together.

What CWLA proposes is:

- o A program of post-legal adoption services with an authorization of 4 years, beginning FY 1988, funded at $10 million for each year.
- o Grants would go to state social services agencies to develop a program of post-legal adoption services. States would design and direct their programs to adoptive families through consultation with appropriate adoption and community groups having an interest in the field of adoption, including adoptive parent groups, private non-profit adoption and child welfare agencies and other appropriate state agencies.

The Child Welfare League of America believes that a program of post-legal adoption services authorized and funded under the Adoption Opportunities Program is absolutely critical if we are to fully realize the purposes embodied in the law aimed at providing "permanent and loving home environments for children who would benefit by adoption." We have, for several years now, referred to the efforts to date under this law, as having placed children in permanent homes only now to learn that true permanency requires another step -- ongoing support after finalization. We urge this Subcommittee to provide for this next step by authorizing a new program of post-legal adoption services so that adoptive families can be maintained in homes that are truly permanent and loving.

Family Violence Prevention Services Act: CWLA strongly urges this Subcommittee to reauthorize this program for 4 years, with incremental increases in the authorized funding level for each year, beginning with FY 1988. Specifically, for FY 1988, we would recommend an authorization level of $30 million which, as you know, would provide for needed increases over the present authorized level of $26 million.

We believe this is a necessary program and critical adjunct to the Child Abuse Act because of its specific emphasis on the problem of family violence which so often affects children. The grants which are provided under this program to states and non-profit community organizations for shelter and related services to the victims of family violence help to maintain children with at least part of their family during such situations. Critical too is the program of law enforcement training and technical assistance.

According to the Center for Women Policy Studies, nationally, 20% of the visits to emergency rooms are made by women who are victims of spousal abuse and 2 million women per year are reported as battered due to family violence. Given the alarming statistics, CWLA submits that a system of emergency shelters, prevention and counseling services, all which are provided for under this program, are clearly needed.

CWLA, therefore, strongly urges this Subcommittee to reauthorize this program, as currently enacted, including the present formula for the distribution of grants, for a 4 year period, beginning FY 1988.

Senator **Dodd**. Thank you, Mai Bell, very much for your testimony. Let me address some questions to all three of you.

Again, I want to thank you for being here.

I presume all of you may be aware of the fact that I have introduced the Parental Leave bill in the Senate. Congresswoman Schroeder has one in the House.

I do not know whether all three of you were sitting here when I asked Dr. Elder, or her staff, rather, about the Parental Leave bill, which, of course, covers adoption.

I would presume that in the agencies where you have special needs adoption, they require as a condition to adoption that there be a period in which one parent is home on a permanent basis, at least to establish that relationship.

Mr. **Woodson**. That is right.

Senator **Dodd**. Is that a fair criteria? Is that something that maybe is too stringent a criteria and thus discourages minority adoption?

How do you get around the problem where you have two working parents and you want to encourage adoption and yet people have to make the choice between their job and that adoption?

Mr. **Woodson**. It does have economic implications, just as some of the agencies will impose as a requirement that if a family has a two-bedroom house, and even though they are adopting an older boy and they have a natural son of their own, that the child should have a separate room.

Families are selling homes to qualify——

Senator **Dodd**. I am glad I did not need to be considered for adoption growing up in——

Mr. **Woodson**. I am saying that this has economic implications so we must look very carefully at this. Something allied to this has to do with what my fellow panelist was saying about post-adoption services that go on until the child is in their majority.

At what point do we begin to treat adoptive families as if they are normal families and hold them to the same expectations that we do any other normal family? Or do we just continue to bombard them with services which, if it becomes involuntary, becomes a disincentive for people to adopt. So I think that those are important questions to pursue.

Senator **Dodd**. Do you support my Parental Leave bill?

Mr. **Woodson**. I have mixed emotions about it. I have very mixed emotions about it.

If a person is going to be granted leave with pay——

Senator **Dodd**. No.

Mr. **Woodson**. No. Then it has implications. Most families cannot—that I know of, who are Black—who express an interest in adopting a child, cannot afford to leave the job. I do not think that a family has to choose between income and being a parent.

Senator **Dodd**. Well, it is not income, it is job security. It is a matter of holding the job. If you are going to adopt a child you know that far enough in advance so that you can put away some dollars for a time so you have got those few months to be able to make the adjustments.

Mr. **Woodson**. Again, it acts as an income screen. It does not matter how you cut it. I do now know of very many families who have that kind of cushion in this economy that they can do that. So what you really are doing are screening out families who may be of modest income.

Senator Dodd. Well, as a practical matter, if we make it paid leave, you know as well as I do that there is no way that we are going to get that legislation passed by the Congress.

Mr. Woodson. I am not suggesting that it be paid, either.

Senator Dodd. Okay.

Mr. Woodson. I was trying to beg your question.

Senator Dodd. I know. Let me ask Aileen.

Aileen, any thoughts on this subject matter, the Parental Leave?

Ms. Garriott. I do not think you can get it through paid either.

Senator Dodd. I know. But do you see the problem? Should there be a requirement, as agencies do, for a longer period where commitment of one parent or the other is required?

Ms. Garriott. I think agencies need to develop with the adoptive family a plan for the care and bonding of that child into their family. I think it depends on their particular family structure and resources whether that necessarily involves their being at home all the time for an extended period. I think agencies are moving in the direction of more flexibility and more planning with families to work out plans for their children, whether there are special needs or not, and I think that is what we need to be doing.

The child needs to be cared for. Whether it involves an extended parental leave is another question.

Senator Dodd. What do we do in Connecticut—require—for special needs adoption? Is it required? Do most agencies require that four to six months?

Ms. Garriott. I am sorry, I really do not know whether there is a uniform requirement or not. I do not think that it is that long.

Senator Dodd. You discussed the post-legal adoption services. You mentioned it and you are supportive of it. What would you say in response to Bob Woodson's criticism about it? About making this family seem like it is a family that has not quite linked up?

Ms. Garriott. Well, I think that we need to offer these services in a way that makes very clear that that is not what we are saying. However, there seem to be some realities that I think we have been overlooking, and I think that one of the myths that we have been living under is that if we just believe enough that that family-by-adoption is just like any other family in that the child has experienced no trauma and is not going to have difficulties based on that, either because of the child's personal experience of loss or because of the kinds of things that the community visits on them in their adoption, I think we cannot pretend that.

We have to know—first of all, whether adoptive children are turning up with more problems than the general population, and what those problems are and what we can do about them. I think we have to face that and provide some help for parents and for adoptees to negotiate some of those hurdles.

Senator Dodd. Mai Bell?

Ms. Hurley. Well, first of all, CWLA has endorsed your Parental Leave policy——

Senator Dodd. I know that now.

Ms. HURLEY [continuing]. And welcomes it and does realize it has problems. I have some good conversations with my husband—who is a corporate executive—on this very point, but nevertheless—

Senator DODD. I can just imagine.

Ms. HURLEY. We usually agree about most everything but that is one that we can get our dander up over. But we endorse it 100 percent, and also the corporate executives on our board endorse it 100 percent.

We think, first of all, that the post-legal adoption—and you know, I am a volunteer, not a clinician here—but it is voluntary, and that that is the key portion to it.

Mr. WOODSON. Now, it is.

Ms. HURLEY. But there are statistics that I, in sharing this task force of professionals, heard about. It is more difficult. It is not that you are laying some sort of constant pressure on the family, but that you are offering support for the family, because there are complications there of the same kind that might exist in some other unusual circumstances.

The statistics do seem to prove that there are more adoptive children who are in trouble than as a percentage of the whole, and that post-legal adoption services carefully offered could be a solution to that.

Senator DODD. Bob, did you want to respond?

Mr. WOODSON. Sir, the question that immediately comes to mind when we look at the plight of children who are adopted, we mentioned the trauma of the separation and all of this.

To what extent do we factor in, maybe, the ineptitude of the adoption process? To what extent do we know that maybe the agency carrying out the adoption counseling in the first place erred in their decisions? To what extent can we look at different adoption agencies to determine their success rate in terms of keeping children in homes?

Because we do know of some where the failure rate is very low, and the question that I would have is, are there factors within that agency that distinguishes its practice from someone else, rather than always assuming that there is something inherently flawed having to do with the child and his family as opposed to there are flaws in the agency practice.

The statement that my colleague made makes no reference to whether or not the agency, perhaps, has made mistakes and perhaps has been inept in the way in which it has conducted its adoption practice. We need to examine that question.

Senator DODD. Let me ask you, Aileen, if I can, about how your agency utilizes minority parents in your recruitment and placement activities?

Ms. GARRIOTT. We are just beginning a special program to work with minority families. We will be using parents in an advisory capacity, and hopefully as we move along in that program we will be using them to provide support and also to provide outreach and access to community organizations, because we will be working very much through organizations in the Black community.

These parents will be invaluable assets. We find in our agency that most of our referrals are word-of-mouth referrals and we will be working with them

Senator **Dodd**. Well, Bob Woodson brought up earlier, he said the problem with an awful lot of agencies is that they have got sort of the Ozzie and Harriet, Walton family idea about what the family ought to look like. Without debating the point today, a lot of Black families do not look like the Waltons or Ozzie and Harriet, for reasons other than just the color of their skin.

Ms. **Garriott**. Right.

Senator **Dodd**. Is Bob Woodson's criticism correct?

Ms. **Garriott**. I can only speak for our agency. Part of what we will be doing, and what we are doing in our new program, is working with Black families in a way that we think is culturally sensitive.

Mr. Woodson and I were talking during the break and I said the things you were describing sound like a description of our program, beginning with the fee issue, which he raised in his testimony. Also, issues about qualifications and the kind of family we are looking for. We are not applying those criteria by any means. Nor do we apply them to White families either anymore.

But we are developing a program which will try to screen families in rather than screen them out, and look at their strengths as parents, look at their parenting skills and their hopes for their family and work with them on that basis.

Senator **Dodd**. Mai Bell?

Ms. **Hurley**. That is my impression, as well, from this task force, that it is certainly possible that we have not come as far as we should come, but that we are certainly very sensitive. There are agencies who are particularly sensitive to these issues. And again I say, that is one of the reasons that the continuum of service is so stressed, so that there can be cultural matches and there can be racial matches, and they can be successful.

We are sensitive to the condition of the child, and that is our primary focus. If that looks insensitive to a particular family, maybe that is where this idea originates. But I think the purpose of the agencies that are members of the Child Welfare League—and they are all quite different, it is not an absolute prototype across the country—I think some have exceptionally good programs.

Senator **Dodd**. But it is a private business in many cases. This is a for-profit operation.

Ms. **Hurley**. Not the Child Welfare League. We are not for profit.

Senator **Dodd**. I know that, but I am talking about the bulk of an awful lot of these. I am not being critical of that, the fact that they are for-profit, many of them.

Ms. **Hurley**. Well, we do not represent anyone who is for-profit. The members of the Child Welfare League are either—we have all the public agencies are members of the Child Welfare League. The rest are all not-for-profit agencies, typically funded by the United Way of America or by contracts from the Federal Government.

Some of this money could come to them through the States under contract, but the fee issue which was mentioned earlier is not—in our experience, every agency with which I am familiar that is a not-for-profit, United Way agency has a sliding fee schedule, which is linked to income.

There is certainly—I would guess, I cannot speak for every single agency that does adoption—that there are plenty of opportunities for people to have no fees, have fees waived entirely. Then, the public agencies are all not charging fees.

Senator Dodd. Well, let me ask you this. In the not-for-profit agencies—and I am not asking you to give me exact numbers—but how many of these screeners are Black or Hispanic?

Ms. Hurley. I really could not give you that information. I will certainly try to find it. I know it is a sensitive area. We had a good lively discussion while you were voting. My impression in Tennessee in the public agencies is that a very high percentage—and more adoptions are done by public agencies in Chattanooga, for instance, than the not-for-profit private agency with which I am familiar—and the front-line workers have a high majority of Black front-line workers in these adoptions.

Senator Dodd. There are so many questions, but we have another panel. I could keep this panel here all day because I find you all fascinating. When we get to this bill I want to make sure we incorporate a lot of your suggestions.

The next time you come back here, I would like you to come in and say give us a couple of more years on this reauthorization thing, and then we will not need it any longer. I would love to have that be the goal. I would love to be the author of a program where we de-authorized something because it was working, and we did not need it any longer. I have that as a goal before I leave here.

Mr. Woodson. Good luck.

Senator Dodd. What would you say if I forced you to name the single largest obstacle to minority adoption? You have to pick one. Maybe it is an unfair question.

Mr. Woodson. No, it is not an unfair question. I would say that it is not bringing minorities in to advise traditional agencies as it would suggest. It is to transfer the authority to make the placement of decision to the minority community and their institutions so they can determine what constitutes an acceptable family for a child and what constitutes a loving home. It has to do with the authority to place.

Senator Dodd. What do you think are the key elements in recruiting minority families? If you had to organize a recruiting program what would you recommend?

Mr. Woodson. The recruiting is not a problem. Right now, Senator, we have thousands of Blacks languishing on waiting lists that have already been recruited and who stay on there for years without finding homes. The GOAL study in New York years ago revealed that when they called parents who withdrew from the adoption process and the agencies told them that there were no children available for them to adopt, the agencies were required to photo list available children with the exchange, and only 10 percent of the children were photo listed.

So the issue is not recruiting. There is no problem with recruiting. The problem is getting families from recruiting to actually receiving, and that is being handicapped by the decision to adopt, and that is why we are setting up the agencies that we do.

Senator Dodd. You really do not have a problem with post-legal adoptive services on a voluntary basis for families at all. Your concern is that they examine whether or not a proper match was made in the first instance?

Mr. **Woodson**. Absolutely. But my only concern is what they offer with a $10 million tag today that is voluntary suddenly becomes mandatory next year. And then, the next thing you know, we get into third-party payments with that and then we are right back where we started.

That is the only concern that I have, as long as that care is given that it is strictly voluntary. I doubt that it will stay voluntary, though.

And what is wrong with parent support groups of parents who have adopted and raised children successfully? Why cannot they as a volunteer group get together and advise and work with other groups? Why does it always have to be a professional person coming in and providing—as a professionally trained person, I assure you there are absolute limits on our capacity. We have demonstrated it by the way we have screwed up the foster care system over the years.

Senator **Dodd**. Bob, you have got to develop some opinions on this subject. [Laughter.]

I just do not like this wishy-washy attitude you have when you come before an important Senator like myself.

I did not hear anybody exclude that one, Bob, but Mai Bell over here is dying to get into this thing, and then we are going to have to get Senator Harkin involved.

I did not know you were here. I apologize.

Senator **Harkin**. I was just listening.

Senator **Dodd**. Mai Bell, go ahead.

Ms. **Hurley**. I just wanted to say—and we will make this available to you on post-legal adoptions—that parent support groups are one of the ways that this would be accomplished. This is not an intensive—I think we mentioned the word "psychiatrist" in the testimony, and that may be what you are pegging on—but the majority of this is done, really, in kind of a low-cost parent support group way.

But somebody has to gather these things together, and either Mr. Woodson's agency would be funded to do that—and we would welcome his agency as part of the Child Welfare League, as a matter of fact.

As a matter of fact, he is on the board of an agency that is a member of the Child Welfare League——

Mr. **Woodson**. I resigned.

Ms. **Hurley**. The definition of "traditional," I think, is a sort of old-fashioned word that we would not accept any more.

Senator **Dodd**. Well, listen. I have kept you all far longer than I had planned to. You are exceedingly generous, fun and knowledgeable.

We will put together the bill, and then I will send you copies of it to take a look at. We may not include all of the things you have recommended, but I would like to get your final input on whether or not you think we are on track with all of this.

You have been very patient through those votes, and I am grateful to all of you for being here.

Mr. **Woodson**. Thank you.

Ms. HURLEY. Thank you very much.

Ms. GARRIOTT. Thank you very much.

Senator DODD. Our next panel will be Panel Two. We are going to hear about Family Violence, and Senator Harkin has joined us. I apologize. I did not see him sitting behind me.

This panel will reinforce the fundamental need that the Family Violence Prevention and Services Act was intended to serve, and I will invite Patricia Price from Iowa Children and Family Services from Des Moines, Iowa to testify first. Ms. Price and her daughter were victims of family violence during her first marriage. She is currently working at the Family Violence Shelter administered by Iowa Children and Family Services.

Anne Menard is the Executive Director of the Connecticut Coalition Against Domestic Violence, from Hartford. She has been working in the field of family violence for the past 10 years. She was the Director of the Family Violence Shelter in Hartford for the past four years.

Elise Mullins Evans is the Board President of Sistercare Shelter, Columbia, South Carolina. She is a member of the Junior League in Columbia, and Cynthia Grove, National Coalition, Board Member, Association of Junior Leagues, New York. She is the Director, I would add, of the Public Policy Committee for the Association of Junior Leagues' Board. She is the immediate past President of the Junior League up in the Stamford-Norwalk area of Connecticut, as well.

So we thank all of you for being here today, and I am going to start with you, Ms. Price. I am going to ask Senator Harkin if he has any comments that he would like to make at the outset, because I understand Ms. Price has to catch a plane.

Senator HARKIN. Mr. Chairman, thank you. I have a statement that I would just like to have inserted into the record at the beginning.

Senator DODD. Without objection.

Senator HARKIN. I just wanted to commend you for calling this hearing on the support matter. I am particularly pleased that we have among our witnesses today a young woman from home State, Patricia Price from Ankeny, Iowa, herself a victim of family violence.

She lived for three years with an emotionally and physically abusive husband and she will tell us her story. But she has turned her life around and she has recovered from the abusive relationship that she had and she is going to tell us the story.

I want to say, Patricia, to you that when I first got out of law school and became a legal aid attorney in Des Moines I remember I had a couple of cases, one of child abuse and one of spouse abuse at the time. I often wondered why it was? Here was a woman being physically abused by her husband. Why did she not go away, walk out, get away from that?

It took me awhile before I was really sensitized as to why it is not just as simple as that. And the story that Patricia has to tell tells why that does not happen that much and why people become brainwashed, as you put it in your testimony, as to thinking and having a certain concept of yourself as a human being.

It is a very poignant story, and I want to say to Patricia that, as you can see, she is expecting very shortly and it has been a tough trip for her. She has a flight back tonight.

I want you to know that I am very appreciative of you coming and telling us your own personal story. I know it is a very traumatic thing to do, but you have a lot of support here and lot of people here who want to make sure that the kind of things that happened to you are diminished, and hopefully diminished to a minimum in our country.

Again, thank you.

Senator DODD. Not at all, Senator. Thank you.

We are running late, and I am sure all of you have either flights or other appointments. Your written testimony will be included in the record in full. You might want to paraphrase your oral comments so we can get to the questions.

Patricia, we will begin with you. When we complete your testimony, if Senator Harkin has any questions or I do, we will go straight to them so that we do not leave you in a situation where you are fighting traffic to make a plane, and I am sure your co-witnesses will not object.

We will begin with you, Patricia.

STATEMENTS OF PATRICIA PRICE, IOWA CHILDREN AND FAMILY SERVICES, DES MOINES, IA; ANNE MENARD, EXECUTIVE DIRECTOR, CONNECTICUT COALITION AGAINST DOMESTIC VIOLENCE, HARTFORD, CT; ELISE MULLINS EVANS, BOARD PRESIDENT, SISTERCARE SHELTER, COLUMBIA, SC, ACCOMPANIED BY ANA LOPEZ-DEFEDE; AND CYNTHIA GROVE, NATIONAL COALITION, BOARD MEMBER, ASSOCIATION OF JUNIOR LEAGUES, NEW YORK, NY

Ms. PRICE. Okay. I would like to thank you, Senator Harkin, for the comments and consider yourself hugged.

I would like to start off by telling you that I am a member of Beyond Abuse. We are an organization of survivors of domestic violence and we bring our special perspective as survivors to the community. I am here today to tell how I survived being abused in my first marriage.

I want you to know that my story is not unique and that women are dying. Most important, I want you to know that you can do something about domestic violence by voting to reauthorize this funding.

I define abuse in the following way: Abuse is being terrorized in the safest place, your own home.

I was legally married to my abuser for four years, although we lived together less than three of those. We have one daughter. I was physically abused on my wedding night, and I know that I was emotionally abused right from the beginning of the relationship.

When I say physically abused, I mean I was punched in the face, had my hair pulled, kicked in the stomach when I was pregnant. When I say emotionally abused, I mean he threatened to kill my family and to take my child from me. He pointed a gun at me. He belittled me in front of people. He made the rules in the relationship and was constantly changing them. He minimized and denied the abuse to me, making me think maybe I was the one that was crazy.

I look back on it now and I know that I was brainwashed. I was brainwashed by his controlling tactics and his abusive power. I believed it was my responsibility to take care of the emotional part of our relationship. I therefore thought I had failed when he became abusive. There was a total imbalance of power. He had all of it and I had none of it.

I went into this marriage believing that it takes two to have a fight, and when I was abused for leaving my daughter at the babysitter's too long, I blamed myself, because it takes two. I thought I was somehow responsible for the abuse, and as long as I felt responsible I stayed, thinking that some change in myself would stop his abuse.

Out of the need to survive for myself and my little girl, and as I saw that she, too, was a victim, I slowly and unconsciously, even, began to take back some of my power. I went to Al-Anon and Adult Children of Alcoholics meetings, even though I often got abused when I came home.

My survival became more important to me than trying to avoid being abused. It was at an ACA meeting that I met another victim, and she referred me to the local shelter for battered women.

At first, I called the shelter for information and to tell some of my story. I was testing the waters. Three years ago, on Memorial Day, my abuser kidnapped my little girl and kept her from me all weekend. The emotional abuse was terrifying, knowing that he was abusing her and there was nothing I could do about it.

I had not sought any legal action at that time and I had no more rights over her than he did. He issued an ultimatum: "Stay home and be a good wife and you can have your child. Otherwise, I will take her out of state and you will never see her again." I must say, that was the worst form of emotional abuse I have ever experienced.

I went home until I had access to a vehicle and then I left. But he found us at a friend's house and came and physically removed us from the house. He took me back to our house, locked me in the bathroom and made me think that he and our daughter had gone for good. But, he came back, packed up all of our belongings, and left with all of our belongings and left my daughter with me and stated: "I'll win her in court."

I immediately grabbed a change of clothes and some diapers and went to the shelter. This was six months after I first knew there was a shelter I could go to. At the shelter I found emergency food and clothing, a 24-hour staff, other victims and their children, individual and group counseling, and safety.

It was the beginning of learning to be independent, learning to live as a valuable person rather than as a victim. I also learned that I was not responsible for my husband's behavior and that no matter what I did, I did not deserve to get hit.

I started to really take a look at the effects on my child and how much support she needed, too. I learned ways to counteract what had happened to her, like giving her extra support and being very patient with her during her time of crisis and disruption.

I stayed at the shelter eight weeks. During that time I filed charges for assault. I filed for divorce. I lost my job and found another. I located reliable child care and found new housing away from my abuser.

A year later, I went back and used the shelter services again as I continued to pursue assault charges and the divorce I had filed a year earlier. I attended a support group through the shelter to look at the ways the abuse had affected me. It was not until another year later that my divorce was finally completed, a full two years after I had filed it.

That brings us to today. I am now happily remarried and we are expecting our first child. My daughter is now four and a half and doing just fine. On the last page of my testimony there is a picture of her at a protest that we had from Beyond Abuse. They asked her why she was there and she said, "I'm sticking up for my rights." She is quite independent.

Her biological father, our abuser, has effectively removed himself from her life. For the last five months I have been employed as a staff person at the same shelter I went to as a victim three years ago, and this weekend is my third anniversary that I have been away from them.

I truly believe that I would be dead today without having access to services that directly focused on my needs as a victim of domestic violence, and I am here as a very fortunate person. There are, in fact, many victims who have died believing that it was their fault and that there was no way out.

When you support domestic abuse services, you are saving the lives of women and their children.

Thank you.

[The prepared statement of Ms. Price, with enclosures, follows:]

Patricia Price/Page
Testimony to: Committee on Labor & Human Relations, U.S. Senate
May 21, 1987

My name is Patricia Price. I am from Ankeny, Iowa. I am a member of Beyond Abuse, an organization of survivors of domestic violence. We bring our special perspective as survivors to the community. I am here today to tell how I survived being abused in my first marriage. I want you to know that my story is not unique, and that women are dying. Most important, I want you to know that you can do something about domestic violence by voting to re-authorize this funding.

I define abuse in the following way: abuse is being terrorized in the safest place -- your home.

I was legally married to my abuser for four years, although we lived together less than three of those years. We had one daughter. I was first physically abused on my wedding night. I now know that I was emotionally abused from the beginning of the relationship.

When I say "physically abused," I mean: I was punched in the face, had my hair pulled, kicked in the stomach when I was pregnant. When I say "emotionally abused," I mean: he threatened to kill my family and to take my child from me; he pointed a gun at me; he belittled me in front of people; he made the rules in the relationship and was constantly changing them; he minimized and denied the abuse to me, making me think maybe I was crazy.

I look back or it now, and know that I was brainwashed. I was brainwashed by his controlling tactics and his abuse of his power. I believed it was my responsibility to take care of the emotional part of our relationship. I therefore thought I failed when he became abusive. There was a total imbalance of power -- he had all of it, and I had none.

I tried in many ways to reach out to the community for help. I thought the police would fix him. We went to marriage counselors, and I also went to counseling on my own. The marriage counselor told me that it was my fault, which in turn gave my abuser further permission to abuse me.

I went into the marriage believing that it takes two to have a fight. When I got abused for leaving my daughter at the babysitter's too long, I blamed myself -- because "it takes two." I was somehow responsible for the abuse. As long as I felt responsible, I stayed, thinking that some change in myself would stop his abuse.

Out of the need to survive, for myself and for my child, and as I saw that she, too, was a victim, I slowly and unconsciously even, began to take back some of my power.

I went to Al-Anon and Adult Children of Alcoholics meetings, even though I often got abused when I came home. My survival became more important to me than trying to avoid being abused. It was at an ACA meeting that I met another victim, and she referred me to the local shelter for battered women.

At first, I called the shelter for information, and to ask questions about the place. I told some of my story. I was testing the waters.

Three years ago, on Memorial Day, my abuser kidnapped my little girl, and kept her from me all weekend. The emotional abuse was terrifying, knowing that he was abusing her and there was nothing I could do about it. He issued an ultimatum: "stay home and be a good wife, and you can have your child. Otherwise, I will take her out of state and you will never see her again."

I went home until I had access to a vehicle; then I left. He found us at a friend's house, and came and physically removed us from the house. He took me back to our house, locked me in the bathroom, and made me think that he and our daughter had gone for good. Suddenly, he came back -- packed up our things -- left our daughter there with me, and stated, "I'll win her in court." He left the house.

I grabbed a change of clothes and some diapers, and went to the shelter. This was six months after I first knew that there was a shelter I could go to.

At the shelter, I found emergency food and clothing, a 24-hour staff,other victims and their children, individual and group counseling, and safety.

It was the beginning of learning to be independent, learning to live as a valuable and worthwhile person, rather than as a victim. I learned that I was not responsible for my husband's behavior, and that no matter what I did I didn't deserve to get hit. I started to really take a look at the effects on my child, and how much support she needed, too. I learned ways to counteract what had happened to her, like giving her extra support and being very patient with her during the time of crisis and disruption.

I stayed at the shelter eight weeks. During that time, I filed charges, I filed for divorce, I lost my job and found another, I located reliable childcare, and found new housing away from my abuser.

A year later, I went back and used shelter services again, as I continued to pursue the charges and the divorce I had filed a year earlier. I attended a support group to look at the ways the abuse had affected me.

It was not until another year later, that my divorce was finally completed, a full two years after I had filed it.

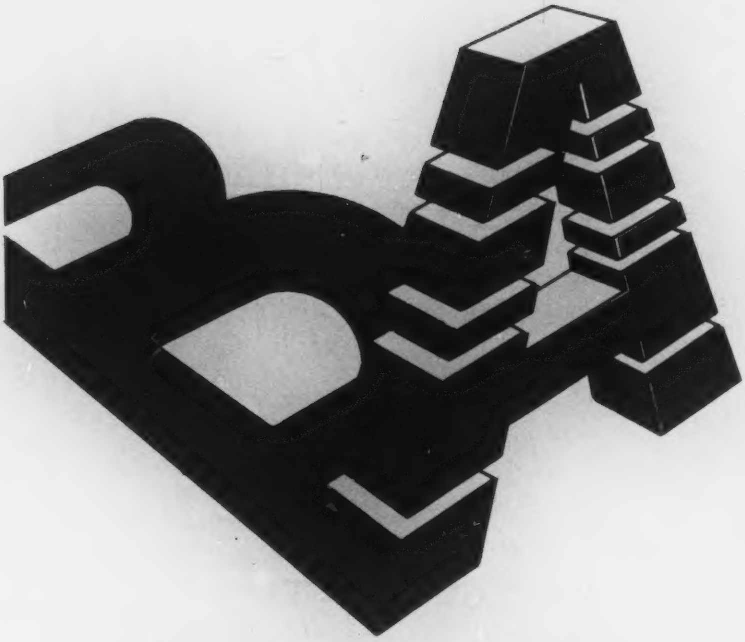
That brings us to today. I am now happily re-married, and we are expecting our first child. My daughter is now 4½ and doing just fine. In fact, her picture was in the Des Moines paper the other day. She was at a protest in front of the Court House. When asked why she was there, she stated, "I'm sticking up for my rights." Her biological father, our abuser, has effectively removed himself from her life. For the last five months, I have been employed as a staff person at the same shelter I went to as a victim three years ago.

I truly believe that I would be dead today without having access to services that directly focused on my needs as a victim of domestic violence. I am here as a very fortunate person. There are in fact many victims who have died, believing that it was their fault, and that there was no way out.

When you support domestic abuse services, you are saving the lives of women and children.

Thank you.

Enclosures: Beyond Abuse brochure
Des Moines Register article, April 14, 1987



beyond abuse

survivors against domestic abuse

what is beyond abuse?

BEYOND ABUSE is an organization of survivors of domestic abuse. We hope to provide the survivor's perspective to the community's efforts to solve the problem of family violence. We hope to offer support to those victims still enduring the pain at home.

what do we offer?

What we offer is our history, our stories, our growth. We are angry that women suffer abuse by their loved ones and partners. We are angry that abusers are so often excused for their behavior. We are outraged that children live in homes filled with chaos and insecurity and the threat of bodily harm. We know that victim services are often faced with financial strain.

is anything changing?

We do believe that the community — national, state, and local — is beginning to come to grips with the problem. We are excited about new legislation that refocuses our attention on the criminal behavior of the abuser in the family. We are amazed at the strength of victims who continue to leave the violence, and save themselves.

if you are a victim

Know that you are not alone. There is a shelter in Des Moines — The Family Violence Center. It is available 24 hours a day. The phone number is 243-6147.

if you do not live in des moines

There is a toll-free number you can call from anywhere in Iowa to get information about services near to you. The number is 1-800-942-0333.

Free counseling is available to those victims not needing shelter. Contact a counselor by calling 243-6147.

if you are a concerned person

Find out all you can about services available for the victim that you know and care about. Let her know you support her. Let her know it is not OK for anybody to abuse her, or hurt her, in any way. You *will* repeat yourself — victims need time to hear the message beneath the words.

if you are an abuser and want help

Services are available for you. Contact the Domestic Abuse Intervention Service, at 288-1981.

it you are a survivor and are interested in joining us

Beyond Abuse meets twice monthly to share information and support. We plan activities that can provide information to concerned persons. We offer ourselves as speakers and panels and spokespersons to community organizations seeking to inform their members on the family violence issue.

if you are interested in hearing more from beyond abuse members

Contact the organization by leaving a message at the Family Violence Center, 243-6147. We will be glad to return your call and set up an interview or a speaking engagement.

together...

we can send a clear
message to the
abusive person.

it is not ok to hurt
or control another
human being.

243-6147
24 hours
(Des Moines)

1-800-942-0333
24 hours
(statewide)

Protesters rap delay of charges

By ELIZABETH FLANSBURG
Register Staff Writer

A small group of women demonstrated outside the Polk County Courthouse Monday to protest prosecutors' handling of a case involving the death of a Des Moines woman.

After several days in a coma, Melanie Beckler, 18, of 1336 Arthur Ave. died last week of head injuries allegedly received in a beating by her boyfriend, Lawrence Michael Noble, during an argument.

Noble, 30, also of 1336 Arthur Ave., was charged with willful injury, though officials now say they are considering filing murder charges against him.

During the vigil for Beckler, members of a group called Beyond Abuse said the Polk County attorney's office should have charged Noble with first-degree murder immediately following the death.

Jackie Brekke, a member of Beyond Abuse, said if Beckler had been killed under different circumstances, officials might have acted more quickly to file a murder charge. Because of certain biases toward domestic abuse, such as whether men have a right to beat women, officials are slow to bring charges in abuse cases, Brekke said.

She said the women had not contacted Polk County Attorney James Smith's office, but wanted to register their complaints by protesting.

Assistant Polk County Attorney James Ramey said there will "undoubtedly be a change in the charges" against Noble, but officials still are investigating to determine what is appropriate based on the evidence in the case.

Ramey said the county attorney's office delayed its investigation because members of Beckler's family need to be interviewed and authorities did not want to interrupt Beckler's funeral last week.

"If the group outside wants to protest compassion, they can do so," Ramey said.

REGISTER PHOTO BY BOB MODERSOHN

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A determined Lindsay Taylor, 4, clutches a sign while marching in the rain with a group protesting the extent and speed of prosecution in a Des Moines woman's death.

The young girl "knows exactly why she's here," said protester Patricia Price, a member of Beyond Abuse. Explained Lindsay: " 'cause I'm sticking up for my rights."

Senator **Dodd**. Thank you, Patricia, very much, and I am going to turn to Senator Harkin to see if he has any questions for you.

Senator **Harkin**. Again, Patricia, as I did in private, I want to thank you publicly for taking the time to come here and give us this very poignant testimony. I only wish more people could hear this story. Because in that story lies both the dangers that we face in our society; the dangers and how prevalent spouse abuse is in our society, how it is sort of suppressed. Also, in your story, lies the hope that people can do something about it.

The only question I might have is just how you found out about the shelter services in Des Moines. How did you first find out that you had a place to go to and to take your daughter to?

Ms. **Price**. Well, through an Adult Child of Alcoholics meeting which I was going to. I received a lot of support, and it just so happened that a battered woman was there and she had used the shelter services and told me about it.

But, in the Des Moines phone book I could not find the number, but that is because it was under drug abuse, not under family violence. It is not advertised real well and not a lot of people know that there is a place that they can go.

It took a long time before I realized that. And I would like to say that I left my marriage several times and went back to it. I mean, I went home to my mom and dad. I stayed with other relatives. I stayed with friends. But it was not until I stayed at the shelter that I actually stayed away for good, and I guess I do not want to quit emphasizing the fact of how important that shelter was on my life and my little girl's life.

Senator **Harkin**. The point I was making is that a lot of people just do not know that those services are there. There is not that much money in the outreach programs to do the kinds of outreach that is necessary to let people know what is available out there.

Ms. **Price**. Definitely.

Senator **Harkin**. Again, you had to go through a long period of time before you even knew this was available, and again, it was word-of-mouth by someone else who had been physically abused to tell you that.

You are working there now as a staff person. What role does Federal funding play in the Des Moines shelter? Do you know?

Ms. **Price**. I have a little bit of information on that. I know that we get a very, very small part. Actually, where most of our funding comes from is from the City under Urban Development, from the County, from the State, and from private donations.

I believe that we do receive part of this funding, but it comes through the Iowa Status of Women, and then they direct it towards us. It goes through ICOTHA and then ICOTHA directs it through us.

Senator **Harkin**. When you reported this abuse to the police, what was their reaction?

Ms. **Price**. They did not want to hear about it and they did not want to do anything about it, and they did not. When I filed charges, it took me a year after the time I filed them before we actually made it to court. During that time I had moved and I had, I guess you could say, hidden out somewhere. But I had given the

County Attorney's Office my address and they gave it out to him, so I moved again. I did not find them supportive at all.

We have a new law in Iowa now, and it is mandatory arrest. I believe that they are acting on that a lot more, a lot better and a lot more effectively than they did when I went through this.

Senator HARKIN. Patricia, again, thank you very much.

Senator DODD. Thank you, Patricia, very much, and let me just echo Senator Harkin's remarks. It is difficult to come and talk about this in a public forum, but I think everyone of the people at the witness table there would tell you that it is people like you who make it easier for others to come forward.

So we are grateful to you, everybody is. It was a long way to come here, being pregnant and everything else. We congratulate you on that. But it is not easy, I know, making reservations and flights, so we will let you go.

If anybody else on the Committee has any questions for you, we will send them out to you so you can respond in writing. We thank you for being here.

Ms. PRICE. Okay. Thank you for having me here, and I just want to say that I appreciate that you both recognize the importance of this.

Senator DODD. One other thing, you said you went to the Al-Anon. Are you the child of an alcoholic family?

Ms. PRICE. Yes, I am an adult child of an alcoholic family.

Senator DODD. And was your former spouse an alcoholic?

Ms. PRICE. Maybe. I know that he did go to AA and I went to Al-Anon, and he was sober for a year and still abused me.

Senator DODD. I did a hearing a week or so ago on the children of alcoholics. Statistics are very, very high—children of alcoholic families will marry people who have not yet become alcoholics but become alcoholics.

I was not sure why you had gone to Al-Anon, but that was a good choice to make.

Ms. PRICE. I would like to say that I have a comment on that, and that is, I believe that it is real possible for one person to abuse one thing and then to abuse another, and that is an abusive nature. But I do not believe that alcoholism causes abuse.

Senator DODD. No.

Ms. PRICE. I just know in my own story that this man was sober a year and you could call it a dry drunk if you want, but I know better.

Senator HARKIN. Patricia, I just want you to know, and anyone else who may be listening, that you do not have a better friend in the entire Senate or House of Representatives in Washington than Senator Dodd from Connecticut.

Senator DODD. Thank you.

Take care of yourself, Patricia, and have a safe journey home.

Ms. PRICE. Thank you.

Senator DODD. Thank you, Tom.

Anne, we appreciate your being here. I apologize for the delay. These things go a little longer because I get so interested in the witnesses and the conversations.

Ms. MENARD. That is all right. We appreciate your interest.

Senator **Dodd**. I am a liability. My staff tries to warn me ahead of time. I will be glad to receive your testimony and it will be printed in full in the record.

Ms. **Menard**. I would also like to echo Senator Harkin's and your remarks that I think all of us owe a tremendous debt to the literally thousands of battered women who have been willing to tell their stories, often to very unsympathetic audiences, so that all of us can understand this problem better. I would like to personally thank Patricia for her testimony.

I have condensed my testimony. It was short to begin with, so it is now even shorter. But I would like to cover as much of it as I can.

As you know, I am testifying today in strong support for the reauthorization of the Family Violence Prevention and Services Act. Domestic violence programs in Connecticut currently receive $88,000 of the funds released under the Act and these funds provide a critical supplement to the monies available to us from the State of Connecticut and private sources. A reduction in or loss of these funds would seriously impair our ability to provide emergency services to battered women and their children.

As you know, family violence is a serious and complex problem. In Connecticut alone, it is estimated by the FBI and others that between 30,000 and 50,000 women are abused by their spouses annually. Twenty-five percent of these women are beaten as often as once a week. Studies continue to point to pregnancy as a particularly high risk time for battered women.

The Family Violence Prevention and Services Act represents not just desperately needed financial resources for local and statewide initiatives, but also signals the kind of leadership on the Federal level that the 1984 Attorney General's Task Force on Family Violence identified as essential to any meaningful response to family violence. So I would very much agree with you, Senator Dodd, that the potential for signalling leadership on the Federal level's part is a very important part of this Act.

Because my time is limited, I would like to address the remainder of my remarks to two questions which are relevant to our discussion today and which are particularly troublesome because of the virulent misconceptions they embody.

The first question is, are domestic violence programs such as shelters and host homes anti-family? The answer to this question is a resounding no. To characterize as anti-family not only domestic violence programs, but also legislation which seeks to criminalize family violence is to totally ignore the extent and impact of violence within families.

Thousands of individual women have sought the services of shelters and crisis hotlines and have joined together as a group to demand changes in the law because their lives and their children's lives are in danger on a daily basis. Their dream of family has been shattered by their batterers' violence.

It is inappropriate to blame the breakup of families on the encouragement battered women receive from domestic violence programs to say no to further violence. The blame, instead, should be placed squarely on the shoulders of the batterers and on outdated public policy that continues to provide tacit approval of violence within families and its refusal to treat family violence as the serious crime it is.

Last year, as you mentioned previously, Connecticut dramatically changed its public policy regarding family violence when it passed Public Act 86-337, the Family Violence Prevention and Response Act. In addition to making a clear statement to Connecticut residents that family violence is a crime and will be treated as such by law enforcement and the criminal justice system, this law provides increased protection and support for victims, and help for those couples who are genuinely interested in maintaining their relationship.

Immediate community-based victim services and offender education programs have been designed and have been coordinated at the court level to enhance the possibility that offenders can learn ways to resolve conflict and respond to stress without resorting to violence. A strong network of early intervention and victim support, and strong legal and social disincentives to violent behavior within families is our best hope for successfully combatting family violence. Labeling these efforts as anti-family is inaccurate and dangerous.

The second question I would like to discuss is one that has been raised by the Administration today; is Federal funding of domestic violence programs necessary? To this question I would answer a resounding, yes.

During this current legislative session in Connecticut the Coalition was successful in securing an additional $100,000 in State funding for 18 domestic violence programs. This was $350,000 short of the funds we had documented were needed to bring all of these programs up to adequate staffing levels.

Shelter programs in Connecticut and in most other states provide services 24 hours a day, 365 days a year. These services provided by programs are not expendable, they are not frivolous. They are the safety net for battered women and their children.

Connecticut programs received 15,000 crisis calls and 14,000 calls for information referral in a recent 12-month period. They provided over 1,000 women and 1,500 children with short term emergency shelter, and were forced to turn away almost twice that number due to lack of space.

Even after this year's increase in State funding, nine of Connecticut's domestic violence programs will remain seriously understaffed and underfunded, run primarily on the extraordinary commitment of staff and volunteers.

In closing, I would like to say that a reduction in Federal funding for domestic violence programs and initiatives would be a devastating blow to those of us who have fought long and hard to make the problem of family violence visible.

The timing of this threatened reduction is particularly ironic, given that so many states have recently followed the lead of the Attorney General's Task Force on Family Violence and increased their commitment to developing comprehensive responses to family violence.

I commend your support for the reauthorization of the Family Violence Prevention and Services Act.

[The prepared statement of Ms. Menard follows:]

CCADV

CONNECTICUT
COALITION
AGAINST
DOMESTIC
VIOLENCE

22 Maple Avenue
Hartford, CT 06114
(203) 524-5890

TESTIMONY BEFORE THE
SUBCOMMITTEE ON CHILDREN, FAMILIES, DRUGS & ALCOHOLISM
UNITED STATES SENATE

Anne Menard
Executive Director
CT Coalition Against Domestic Violence

I am testifying today in strong support of the reauthorization of the Family Violence Prevention and Services Act. Domestic violence programs in Connecticut currently receive $88,000 of the funds released under the Act and these funds provide a critical supplement to the monies available to us from the State of Connecticut and private sources. A reduction in or loss of these funds would seriously impair our ability to provide emergency services to battered women and their children.

Family violence is a serious and complex problem. In Connecticut alone, it is estimated by the FBI and others that between 30,000 and 50,000 women are beaten by their husbands each year. 25% of these women are beaten as often as once a week. Studies continue to point to pregnancy as a particularly high risk time for battered women.

The impact of violence within the family - and that violence is most often aimed at the women and children of the family - is severe, not only for the individual victims, but also for society. As the Attorney General's Task Force on Family Violence pointed out in 1984, we can no longer afford the cost of ignoring violence within American families; we must instead begin bearing the cost of developing and supporting effective, multi-pronged responses. The Family Violence Prevention and Services Act represents not just desperately needed financial resources for local and state-wide initiatives, but also signals the kind of leadership on the federal level that the Attorney General's report described as essential to any meaningful response to family violence.

Because my time is limited, I would like to address the remainder of my remarks to two questions which are relevant to our discussion today and which are troublesome because of the particularly virulent misconceptions they embody. The first question is "Are domestic violence programs, such as shelters and host homes, anti-family"? The answer to this question is a resounding "NO". To characterize as "anti-family" not only domestic violence programs, but also legislation which seeks to criminalize family violence, is to totally ignore the extent and impact of violence within families. Thousands of individual women have sought the services of shelters and crisis Hotlines and have joined together as a group to demand changes in the law because their lives and their children's lives are in danger on a daily basis. Their dream of family has been shattered *by their batterers' violence. Domestic violence programs offer victims alternatives to accepting the violence they are experiencing at home. It is inappropriate to blame the break up of families on the encouragement battered women receive from domestic violence programs to say "no" to further violence; the blame instead should be placed squarely on the shoulders of the batterers and on outdated public policy that continues to provide tacit approval of violence within families in its refusal to treat family violence as the serious crime it is.*

Last year, Connecticut dramatically changed its public policy regarding family violence when it passed PA 86-337-The Family Violence Prevention and Response Act. In addition to making a clear statement to CT residents that family violence is a crime and will be treated as such by law enforcement and the criminal justice system, this law provides increased protection and support for victims and help for those couples who are genuinely interested in maintaining their relationship. Immediate community-based victim services and offender education programs have been designed and have been coordinated at the court level to enhance the possibility that offenders can learn ways to resolve conflict and respond to stress without resorting to violence. A strong network of early intervention & victim support, and strong legal & social disincentives to violent behavior within families is our best hope for successfully combatting family violence. Labeling these efforts as anti-family is inaccurate and dangerous.

The second question I would like to discuss is one that has been raised by the administration: "Is federal funding of domestic violence programs necessary"? To this question, I would answer a resounding "Yes". During this current legislative session in Connecticut, the Coalition was successful in securing an additional $100,000 in state funding for our 18 domestic violence programs. This was $350,000 short of the funds we had documented were needed to bring all of these programs up to adequate staffing levels. Shelter programs in Connecticut and in most other states provide services 24-hours a day, 365 days a year. These services include emergency shelter, crisis Hotlines, legal advocacy, support groups, and information and referral. These services are not expendable, they are not frivolous; they are the safety net for battered women and their children. Connecticut programs received 15,000 crisis calls and 14,000 calls for information and referral in a recent 12 month period. They provided over 1,000 women and 1,500 children with short-term emergency shelter and were forced to turn away almost twice that number due to lack of space. Even after this year's increase in state funding, nine of Connecticut's domestic violence programs will remain seriously underfunded and understaffed, run primarily on the extraordinary committment of staff and volunteers.

A reduction in federal funding for domestic violence programs and initiatives would be a devastating blow to those of us who have fought long and hard to make the problem of family violence visible. The timing of this threatened reduction is particularly ironic, given that so many states have recently followed the lead of the Attorney General's Task Force on Family Violence and increased their committment to developing comprehensive responses to family violence. I urge your support for the reauthorization of the Family Violence Prevention & Services Act.

CONNECTICUT's
FAMILY VIOLENCE PREVENTION & RESPONSE ACT

Purposes

- Declares family violence to be a crime
- Treats family violence crimes, as far as possible, like all crimes against persons
- Goals:
  - To protect victims
  - To prevent abuse by expanding law
  - To upgrade enforcement response
  - To provide intervention services
- Ensures both criminal and civil processes to protect victims' rights
- Establishes accurate, uniform reporting system for all categories of family violence
  - accurate, valid information for service needs
  - document extent of family violence
  - provide for review/monitoring of responses

FAMILY VIOLENCE PREVENTION & RESPONSE ACT

DEFINES FAMILY VIOLENCE

- cohabitants, family members are defined
- 13 specific crimes are identified

ARREST ISSUES -- LAW ENFORCEMENT

- arrest is preferred response in abuse cases
- probable cause is strengthened
- immunity for law enforcement officers during "good faith" arrest
- police services to victims strengthened
- mandates uniform police arrest guidelines, increases police training

CRIMINAL COURT RESPONSES

- speeds court appearances, describes pre-trial release conditions in family violence cases
- strengthens conditions of release of offender
- strengthens restraining orders/penalties for violation
- institutes offender treatment programs

ESTABLISHES INTERVENTION SYSTEM IN COURTS

- creates intervention units in each G.A. Court, coordinated by prosecutor and administered by judicial
- handles each case; recommends actions to protect victims and prevent abuse
- provides immediate case referral -- operated by Family Relations Division with master contract for victim services with nonprofit agencies

CIVIL PROCEDURES

- maintains civil remedies for victims
- mandates tracking and monitoring of protective orders
- increases penalties for violation of protective orders

REPORTING SYSTEMS

- unifies police reporting of all family violence crime (child, elder, spouse, mentally retarded)
- establishes guidelines to increase reports from health care providers, especially hospitals

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CONNECTICUT
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AGAINST
DOMESTIC
VIOLENCE

22 Maple Avenue
Hartford, CT 06114
(203) 524-5890

June 3, 1987

Senate Committee on Labor and Human Resources
U.S. Senate
Washington, D.C. 20510

Enclosed are copies of all those pages requiring correction of my 5/21/87 testimony before Senator Dodd's Subcommittee hearing on Adoption and Family Violence issues. Most changes are minor.

Also, in response to a question on p. 131 of the transcript, I offered to track down the percentage of Title XX Block Grant funds used by the State of Connecticut to support domestic violence programs. This is my understanding of what occured in FFY 87:

1. CT received $35,859,107 in Title XX SSBG funds in FFY 87
2. The 18 domestic violence programs in CT received $402,644 of these SSBG funds, which represents 1% of the total SSBG funds available to the state, and 25% of the funding made available to domestic violence programs (total state support of domestic violence programs in FY 87 was $1,565,346)

I hope this information is helpful.

Sincerely,

Anne Menard
Executive Director

AM/cld

Enclosure

Senator DODD. Thank you very much, Anne. I appreciate you coming down from Connecticut to be with us.

Elise, we welcome you to the Committee and accept your remarks for the record as if read and we are glad to hear your testimony.

Ms. EVANS. Thank you.

I am a member of the Junior League of Columbia, South Carolina, and I am also President of the Board of Directors of Sistercare, Inc. With me today is Ana Lopez-DeFede, our Executive Director.

The Junior League of Columbia is a member league of the Association of Junior Leagues. Many of our efforts in Columbia are aimed at supporting programs dedicated to eliminating domestic violence.

In 1980, the Junior League of Columbia, along with the United Way of the Midlands started Sistercare after a needs assessment was done which showed there was a major gap in services. Currently, Sistercare is the only agency providing services to victims of domestic violence in the midlands.

Sistercare provides comprehensive services. We provide shelter, crisis line services, crisis counseling to women and children, support groups, and public education. We are open 24 hours a day, 7 days a week.

We serve women and children in a four-county area. We serve them in the Women's Correctional Facility, and we serve them Statewide as space permits. Since our founding, we have provided shelter to over 3,000 women and children. In 1986 alone we provided services to 3,883 women and children in all of our programs. In 1986, due to a lack of funding, we turned away 614 eligible women and children, and this number has increased each year.

In November of 1986 we launched our newest program, the Non-Resident Follow Up Service Program. This was funded through the Family Violence Prevention and Services Act. This program works with women who have left the shelter but need further intervention to stop the cycle of violence. They may have returned home or they may have left home and are on their own at this point.

A 60-day shelter stay only begins to address the issues of violence. You cannot solve them all during this period of time. During this period of time a woman explores her resources and she gains understanding of the cycle, but this is only a first step.

With this program we work with the entire family for a full year. We do home visitations, needs assessments, and we make community referrals that can help her with her other problems. The key ingredient in this program is prevention. Since the program began in 1986 only three women have re-entered our shelter. In 1985 in the same time frame 135 women re-entered the shelter.

Sistercare has broad-based financial support. The Junior League has given over $67,000 to Sistercare since 1980. This continued support and the support of other people in the community and private sector is not enough to continue with the existing programs.

In 1986, the South Carolina Department of Social Services eliminated funding for domestic violence throughout the State of South Carolina. The League worked within the community to have this funding reinstated. However, the funding was at the 1983 allocation level of $690,000. Meanwhile, Sistercare has experienced a 35-

percent increase in our operational cost. We are not even maintaining at that rate.

The uncertainty of funds will result in a reduction of services. Legislation such as the Family Violence Prevention and Services Act can ensure stable funding to supplement the local efforts. In 1986 South Carolina received $92,000 and had requests from agencies for $189,000. Sistercare received $5,000 from this Act.

Reauthorization of the Family Violence Prevention and Services Act is essential to ensure that the gains made are not lost, that agencies do not lose their ability to provide services. Additionally, seed monies are needed that are earmarked to develop new services to work with the entire family and not just the victim.

We urge you to continue to demonstrate that the Federal Government will take a leadership role on family violence issues.

Thank you for the opportunity to appear here today, and the Columbia League and Sistercare would be glad to provide you with any information and help you in any way we can.

Thank you.

[The prepared statement of Ms. Evans follows:]

TESTIMONY
OF
THE JUNIOR LEAGUE OF COLUMBIA, INC., SOUTH CAROLINA
ON
THE REAUTHORIZATION OF THE FAMILY VIOLENCE PREVENTION AND SERVICES ACT

BEFORE THE

SUBCOMMITTEE ON CHILDREN, FAMILY,

DRUGS AND ALCOHOLISM

OF THE SENATE COMMITTEE

ON

LABOR AND HUMAN RESOURCCES

ON

MAY 21, 1987

PRESENTED BY

ELISE MULLINS EVANS

PRESIDENT, BOARD OF DIRECTORS, SISTERCARE, INC.

MEMBER, JUNIOR LEAGUE OF COLUMBIA, INC.

Good afternoon, I am Elise Mullins Evans, a member of the Junior League of Columbia, South Carolina and President of the Board of Directors of Sistercare, Inc. which provides services for victims of domestic violence. Accompanying me is Ana Lopez-DeFede, Executive Director of Sistercare, Inc.

The Junior League of Columbia Inc. has a membership of 906 women committed to promoting volunteerism and to improving the community through the initiative of trained volunteers. A member of the Association of Junior Leagues, the Junior League of Columbia is one of 259 Junior Leagues across the United States dedicated to eliminating domestic violence by supporting programs and legislation designed to stop the cycle of violence in society.

This commitment to stop the cycle of violence led the Junior League of Columbia, in the fall of 1980, to adopt the following position statement:

The Junior League of Columbia, Inc. supports and promotes the following:

1. That every woman has the right to a marital relationship free from physical and/or psychological abuse.

2. That efforts are needed to increase public awareness of the problems of spouse abuse.

3. That every woman will have access to effective services to help solve family problems caused by spouse abuse.

4. That every woman will have access to prompt and effective emergency services to meet her needs during a crisis situation involving real or threatened physical and/or psychological abuse from her spouse.

This commitment was clearly demonstrated in 1980, when the Junior League of Columbia, in conjunction with the YWCA, began Sistercare, Inc. The decision to engage in this joint venture was made as the result of an assessment of the needs of the central midlands community of South Carolina which was conducted by the Junior League of Columbia, the YWCA, the United Way of the Midlands, the Department of Social Services and the Emergency Shelter Council of the midlands. This group represented all potential service providers for victims of domestic violence in the central midlands community of South Carolina—a four-county area which is home to 492,700 individuals or 16% of the total population of South Carolina. The consensus of this group was that a major gap in service delivery existed in the central midlands community; no single agency was equipped to provide services for victims of family violence.

Presently, Sistercare, Inc. is the only agency providing services for victims of domestic violence in the central midlands community. The agency is governed by a 28 member community board of directors which includes members of the Junior League of Columbia as well as other community leaders active in developing services for victims of family violence.

Sistercare, Inc. provides the following services: a) emergency telephone counseling and emergency shelter providing room, board, and crisis counseling to abused women and their children; b) support group counseling for victims of domestic violence who are not in crisis; c) community education for lay and professional audiences; and, d) community referral services for former shelter residents. Sistercare services are available around the clock (24 hours a day, 7 days a week). Employed staff includes nine full-time and two part-time persons. Volunteer staff includes 76 persons involved in such activities as board work, child care, public speaking, and crisis shelter service. Services are available first to residents of the central midlands counties of Richland, Lexington, Fairfield and Newberry; then, statewide through services to the Women's Correctional Facility, and finally, to other areas of South Carolina as space permits. Sistercare, Inc. employs a staff person who is based at the Women's Correctional Facility and who runs support groups for those women inmates who were victims of family violence and who now are incarcerated on charges of assault and homicide against their abusers.

The experience of Sistercare, Inc. and service providers across the country, indicates that although local communities have made major strides in the area of family violence, a strong federal voice is needed to ensure future growth. A recent study on family violence cites that

"Between five and twenty percent of America's adult population was involved in some form of spouse abuse" (Dr. Richard Gelles, University of New Hampshire, Intimate Violence). Another report found that spousal abuse may be the foremost cause of injury to women. Attacks on wives result in more injuries requiring medical treatment than rapes, muggings, and auto accidents combined. (The Lepman Report, The American Epidemic of Violence: A Major Security Concern and Public Health Care Program, December, 1985.)

In 1985, the midlands community had the highest reported statewide incidence of spouse abuse, homicides (38), and a third of all reported assaults for South Carolina (1,350). Over the last six years, Sistercare, Inc. has received over 8,400 calls from victims of family violence.

Since its founding, Sistercare, Inc. has provided shelter to more than 3,000 abused women and their children. In 1986, we served more than 3,883 individuals in the areas of shelter services, telephone crisis line, community support groups and public education and training. During 1986, because of a lack of funding and resources, the shelter turned away 614 women and their children who were eligible for shelter services.

We at Sistercare, Inc. recognized that the effects of family violence impact every member of our society. The data on the role of family violence in continuing intergenerational abuse, the correlation between committing crimes as an adult and growing up in violent homes, and the number of homicides committed among family members gives a clear message--if we are serious about violence in our society we must begin to stop the cycle of family violence. The funding from the Family Violence Prevention and Services Act is a step towards ensuring the end of the cycle of violence in our communities.

In its six year history, Sistercare, Inc. has served as a model program throughout the state of South Carolina. The program has been cited for its cost effectiveness, quality of--and comprehensive delivery of--services to victims of domestic violence. The program staff has participated in statewide presentations and training for law enforcement agencies, judiciary and other human service providers.

In November 1986, Sistercare, Inc. launched its newest program, the Non-Resident Follow Up Services program funded through the Family Violence Prevention and Services Act. This program seeks to work with women and children who have left the shelter program but need further intervention to stop the cycle of violence. It has been the experience of the agency that shelter stay can only begin to address all the issues surrounding family violence; follow-up services are essential. The maximum shelter stay for a woman and her children is 60 days. During this period, a woman begins to explore resources, define support systems and gain an understanding of the dynamics of the cycle of violence that has permeated the life of her family. Shelter services provide the catalyst for breaking the cycle of violence. However, this is only a first step in the process.

The Non-Resident Follow Up Program works with an entire family unit for a full year after the family leaves the shelter providing home visitations, conducting a needs assessment of family needs and providing community linkages for identified needs. The key ingredient for this program is prevention—a much needed step in stopping the cycle of family violence. Since the inception of the Non-Resident Follow Up Program in 1986, only three former residents of the shelter have had to return to the shelter. This number is in sharp contrast to the 135 former shelter residents who had to return to the shelter during the same time period in 1985.

Sistercare, Inc. has broad-based financial support from individuals, civic organizations, the United Way of the Midlands, state and local governments. Since 1980, the Junior League of Columbia has contributed $35,000 which was earmarked for operational expenses. In addition, in 1987, the Junior League of Columbia appropriated $32,500 for major shelter renovations, which will include insulation, a new roof, and structural repairs to the basement and attic. The League has pledged continued support of Sistercare, Inc. including financial assistance, advocacy on behalf of victims of family violence and volunteers to staff the programs. However, this commitment is not enough to ensure the continuation of services in the midlands. Support from all levels of government, together with the private sector, must be provided.

In 1986, the South Carolina Department of Social Services moved to eliminate statewide funding for services to victims of domestic violence. During this same time period, local governments, faced with reductions in federal revenue-sharing funds, were forced to eliminate or reduce funds previously allocated to Sistercare, Inc. The Junior League of Columbia worked with the local community to reinstate the funding for statewide services for victims of family violence; however, the funding level has remained at the 1983 state appropriation level of $690,000. This appropriation will be used to fund eight programs throughout the state of South Carolina. Fiscal restraints placed upon state and local governments do not allow for the development of new services; the state already is unable to fund existing programs for ongoing operational expenses. Meanwhile, Sistercare, Inc. has experienced an increase of more than 35% in utilities, insurance, and occupancy costs associated with operating its current shelter program.

The uncertainty of future funding for family violence programs will result in a reduction of existing services. For the first time since 1980, Sistercare will be forced to limit or reduce programs. However, the needs for these services has not decreased in the midlands community. Legislation such as the Family Violence Prevention and Services Act can help ensure stable funding to supplement the efforts of local communities.

In 1986, the state of South Carolina received an appropriation of $92,043 under the Family Violence Prevention and Services Act. The need for these funds greatly exceeded available resources. The state received applications from family violence programs totaling $189,000. Sistercare, Inc. received $5,000 of the state funding appropriated under this Act.

We believe that it is essential for Congress to reauthorize the Family Violence Prevention and Services Act. Furthermore, it is our belief that without increased appropriations for this legislation in the coming years, the gains made in stopping the cycle of violence will be in jeopardy. For this reason, we strongly support the Association of Junior Leagues' request to establish the authorization level at $26 million for FY 1988 and "such sums as necessary" for the years FY 1989-1991.

Reauthorization of the Family Violence Prevention and Services Act is essential to ensure the continuation and the effectiveness of agencies working to stop the cycle of violence. The federal government must continue to demonstrate leadership on the problem of family violence--steps must be taken to ensure that agencies such as Sistercare, Inc. do not lose their ability to provide needed services. Additionally, seed monies must be earmarked to develop new services to work with the entire family system. We firmly believe that to end the cycle of violence the entire family must receive intervention services.

The Family Violence Prevention and Services Act is one of a series of steps that are needed to stop the cycle of family violence. I urge you not to stop with this single step. We hope to work with you in the coming years to develop more comprehensive legislation to help the victims of family violence. The Junior League of Columbia has made family violence and child abuse key issues on its legislative agenda. We urge you to continue to demonstrate that the federal government will take a leadership role on family violence issues.

I thank you for the opportunity to appear before you today. The Junior League of Columbia, Inc. and Sistercare, Inc. both look forward to working with you to address the problem of family violence.

Elise Mullins Evans
President, Board of Directors
Sistercare, Inc.
and
Member, Junior League of Columbia

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Senator Dodd. Thank you Elise, very, very much.

Cynthia Grove, we thank you for being here.

Ms. Grove. It is a pleasure to be here. Thank you.

I am a member of the Board of Directors and the Public Policy Committee of the Association of Junior Leagues. I appreciate the opportunity to be here this afternoon and to talk to you about the Association's views in support of the reauthorization of the Family Violence Prevention and Services Act.

The Association of Junior Leagues is an international organization of women committed to promoting voluntarism and to improving their communities through the effective action and leadership of trained volunteers. Currently, there are 259 leagues in the United States which encompass approximately 167,000 members.

Junior Leagues in all parts of the United States are involved in efforts to prevent family violence by providing funds and volunteers to support programs which address family violence and engage in public affairs activities which support family violence legislation.

From 1984 through 1986 Junior Leagues reported committing more than 600 volunteers and more than $1.8 million to family violence projects across the country. The Association has been on record since 1981 in support of Federal legislation that will provide funds to assist State and local communities in developing programs aimed at preventing family violence and providing technical assistance, training and services related to family violence.

In the interest of time, and since you have so adequately expressed the Association's concern with respect to the Department of Health and Human Services, Senator Dodd, I would like to touch briefly on a few of the family violence projects which have been and are currently supported by Junior Leagues across the country. I am also pleased to have joined with Elise Evans, my new friend from the Junior League of Columbia, in support of the reauthorization of this Act.

The Junior League of Jackson, Mississippi, in collaboration with Catholic Charities, helped start the shelter for battered women in its community. From April, 1981 through May of 1985 the Junior League was directly involved with the shelter and committed over $40,000 to it, with part of the funds being earmarked as the salary of a therapist.

The Jackson shelter received some funding through the Family Violence Prevention and Services Act, in addition to public welfare department funds and private donations.

The Junior League of Oakland-East Bay in California is in its sixth year of supporting Battered Women's Alternatives. This is a full-service agency for abused women and their children. Battered Women's Alternative is the only shelter in Contra Costa County, which serves a population of over 800,000 people. I am delighted that this agency is still in existence. I was there when it was begun, and I can assure you that it is used greatly.

The Junior League of Cedar Rapids, in collaboration with the local YWCA has since 1983 provided funds and in-kind goods to the Women's Emergency Shelter in their community. The shelter provides counseling and case advocacy in addition to shelter services and operates a 24-hour crisis hotline. The Cedar Rapids shelter also receives some of its funding through the Family Violence Prevention and Services Act.

In Bellevue, which is a suburb of Seattle, the Junior League of Seattle supports the Eastside Domestic Violence program, which operates a network of safe homes for victims of family violence. In addition, the program provides advocacy and counseling services, a children's support group, a 24-hour crisis hotline, and a community speaker's bureau.

The Junior League projects highlight issues of concern to family violence shelters all over the Nation. Preventive measures to break the cycle of violence, as well as comprehensive services for both adults and children and both women and men, who are already victims of violence, must be provided.

Within their communities, the Junior Leagues also document a very disturbing fact, and that is that existing shelters are too few. In many cases, one shelter needs to serve numerous communities. As a result, many families in many parts of our country are in need of assistance and they must be turned away because there is no place for them.

We do not believe that the Congress of the United States and the Federal Government can afford to ignore the issue of family violence. Federal leadership is necessary to bring the urgency of this problem to the forefront of public attention and to help close the gap between the need for family violence programs and the services available.

We urge you to support the reauthorization of the Family Violence Prevention and Services Act for four years to make the authorization period the same as that proposed for the Child Abuse Prevention and Treatment Act with which it is linked.

We also request that the authorization level be set at $26 million for fiscal year 1988 and such sums as necessary in the following years. We commend you for holding hearings on this important and very sensitive issue, and we urge you to work to ensure that the Federal Government mobilizes its resources to address this serious problem.

Thank you for the opportunity to appear before you today.

[The prepared statement of Ms. Grove follows:]

TESTIMONY

OF

THE ASSOCIATION OF JUNIOR LEAGUES, INC.

ON

THE REAUTHORIZATION OF THE FAMILY VIOLENCE PREVENTION AND SERVICES ACT

BEFORE THE

SUBCOMMITTEE ON CHILDREN, FAMILY, DRUGS AND ALCOHOLISM

OF THE

SENATE COMMITTEE ON LABOR AND HUMAN RESOURCES

ON

MAY 21, 1987

PRESENTED BY

CYNTHIA A. GROVE

MEMBER, BOARD OF DIRECTORS AND PUBLIC POLICY COMMITTEE

THE ASSOCIATION OF JUNIOR LEAGUES, INC.

Good afternoon, I am Cynthia Grove, a member of the Board of Directors and Public Policy Committee of the Association of Junior Leagues. I also am the immediate past president of the Junior League of Stamford-Norwalk, Connecticut. I appreciate the opportunity to appear before you today on behalf of the Association in support of the reauthorization of the Family Violence Prevention and Services Act. We also support the reauthorization of Titles I and II of the Child Abuse Prevention and Treatment and Adoption Reform Act. However, because other panelists will address the adoption opportunities portion of the child abuse legislation today, and an earlier hearing focused on the Child Abuse Prevention and Treatment Act, I will focus my remarks on the Family Violence Prevention and Services Act.

The Association of Junior Leagues is an international organization of women committed to promoting voluntarism and to improving the community through the effective action and leadership of trained volunteers. Today, there are 259 Leagues in the United States representing approximately 167,000 members. Junior Leagues in all parts of the United States are involved in efforts to prevent family violence by providing funds and volunteers to support programs addressing family violence and by engaging in public affairs activities supporting family violence legislation. From 1984 through 1986, the most recent period for which we have information, Junior Leagues reported committing more than 600 volunteers and more than $1.8 million to family violence projects across the country.

Junior League domestic violence projects range from small short-term emergency shelters and safe houses for women and children, to full-service agencies providing comprehensive counseling and legal assistance. Junior Leagues also support other innovative programs such as treatment programs for men; public education campaigns including workshops for high school students, films and brochures; career and job-search counseling, and public advocacy efforts. In addition to supporting family violence projects in their communities, Junior Leagues have encouraged the Association of Junior Leagues to support family violence legislation at the federal level. Over the past five years, Junior Leagues and State Public Affairs Committees (SPACs) have consistently ranked federal family violence legislation as one of their highest priorities.

The delegates to the Association's Annual Conference in 1981 unanimously passed the following statement which has been reaffirmed annually since then:

> The Association of Junior Leagues is committed to eliminating domestic violence by supporting programs and legislation designed to understand the problem, assist and protect the victims, and work effectively with the abusers.

The Association has been on record since 1981 in support of federal legislation that would provide funds to assist state and local communities in developing programs aimed at preventing family violence and providing technical assistance, training, and services related to family violence. The Association played an active role in achieving passage of the Family Violence Prevention and Services Act in 1984.

We are here today to urge this subcommittee to recommend the prompt reauthorization of this piece of legislation and to request that members of this subcommittee work to ensure that, when funds are appropriated for the legislation, they be released promptly to the states. Although the Family Violence Prevention and Services Act was enacted into law in October 1984, Congress did not provide funds for the legislation until August 1985 when it appropriated $6\million for Fiscal Year 1985. In December 1985, Congress appropriated an additional $2.5 million for FY 1986.

However, no money was released to the states until well into 1986. The Department of Health and Human Services (HHS), which opposed the legislation, did not publish an announcement of the availability of the funds in the Federal Register until March 10, 1986. The publication came only after intensive advocacy efforts by many members of congress, including Senator Bob Packwood (R-OR), who asked a series of questions about the delay in the publication of the regulations at the confirmation hearings of Dr. Otis Bowen to be Secretary of HHS. The regulations were published as a result of a promise made by Dr.Bowen to Senator Packwood at the Senate Finance Committee hearings.

Despite the strong support for the family violence legislation, HHS has continued to delay the release of the funds to the states. The continuing resolution on appropriations for FY 1987, which was signed into law October 18, 1986, contained $8.5 million in funding for the family violence program, and HHS notified the states in February 1987 that it would make the funds available. However, it was not until May 6, 1987--more than six months after the funds were made available--that the program notification appeared in the Federal Register announcing the availability of the family violence funds. The deadline by which states must apply for the funds is June 22, 1987 -- giving states a very short turnaround time.

The Administration again indicated its opposition to federal support of family violence programs in its FY 1988 budget proposal which calls for a new Social Services Discretionary Program composed of 26 currently separate programs, including family violence and child abuse. The programs would be funded as one consolidated discretionary program administered by the Office of Human Development Services (OHDS) of HHS with a total funding level of $2.21 billion, a requested reduction of $34 million from the 1987 funding level. Actually, the cumulative reduction would be approximately $70 million because the $34 million figure assumes that Congress will make the spending cuts for FY 87 requested by the Administration. Fortunately, to date, no one in Congress has lent support to this proposal.

We urge you to support the reauthorization of the Family Violence Prevention and Services Act for four years to make the authorization period the same as that proposed for the Child Abuse Prevention and Treatment Act with which it is linked. (The first authorization was for three years.) We also request that the authorization level be set at $26 million for FY 1988 and "such sums as necessary" in the following years.

I am pleased that Elise Evans, President of the Board of Directors of Sistercare, Inc. in Columbia, South Carolina and a member of the Junior League of Columbia, has had an opportunity to tell you about the activities of Sistercare and to underscore the support of the Family Violence Prevention and Services Act throughout the Association.

I now would like to touch briefly on a few of the family violence projects supported by Junior Leagues across the country, all of whom support the reauthorization of the Family Violence Prevention and Services Act. A number of the shelter programs supported by Junior Leagues have received funding from the Act.

Selected Junior League Family Violence Projects

In addition to the testimony you have heard about the activities of the Junior League of Columbia, the Junior League of Greenville, South Carolina helped to found the Family Counseling Service which established Greenville's shelter for battered women. The League also was instrumental in establishing funding and providing ongoing advocacy for Pendleton Place, an emergency shelter for children and adolescent girls in Greenville. Because of their involvement in these areas, League members are very concerned about the shortage of funds at the state and federal levels for the prevention of family violence, specifically regarding shelters for battered women.

The Junior League of Stamford-Norwalk, of which I am immediate past president, has been working with the staff of the Women's Crisis Center in Norwalk to open a shelter program for victims of domestic violence. After much hard work and planning, the Women's Crisis Center shelter is scheduled to open early next week. When open, the shelter will provide a 24-hour crisis hot line, counseling, and shelter for up to 60 days to women and their children. In addition, the Center will offer workshops on money management, job interviewing preparation, resume writing and housing services. Currently, the Women's Crisis Center receives some funding through the Family Violence Prevention and Services Act program which has enabled the Center to provide short-term counseling and outreach--services which have helped some women even before the Center's shelter was available.

In addition to working with the shelter staff to plan for the operation of the shelter itself, the Junior League of Stamford-Norwalk has chosen to concentrate its support on the development of a children's program in which trained volunteers will function as child care workers. The children's program also will include a parenting skills program, a range of recreational and cultural activities and a referral program for children with special needs, e.g., child guidance, therapy. With funds from the Community Development Block Grant program, the Center also will be able to build a playground area for the children.

The Junior League of Oakland-East Bay in California, is in its sixth year of supporting Battered Women's Alternatives, a full-service agency for abused women and their children. Battered Women's Alternatives is the only shelter in Contra Costa County, serving a population of over 800,000. With the assistance of the United Way, the Junior League helped build the shelter and currently provides both funding and volunteers for its programs. Battered Women's Alternatives provides a broad range of services to over 10,000 different individuals annually; more than 250 individual women and children annually stay at the shelter.

The Junior League of Jackson, Mississippi, in collaboration with Catholic Charities, helped start the Shelter for Battered Women in its community. From April 1981 through May 1985, the period during which the Junior League was directly involved with the shelter, the League committed over $40,000 to the shelter with part of the funds being earmarked for the salary of a therapist. Junior League volunteers led recreational and activity programs for children in the shelter, conducted parenting, money management and nutrition counseling programs for the women and advocated in support of funding for the shelter. Although the Junior League of Jackson no longer directly supports the shelter, it has continued to write letters in support of funding.

The Jackson Shelter receives some funding through the Family Violence Prevention and Services Act, in addition to public welfare department funds and private donations. According to a representative of Catholic Charities, the Shelter regularly exceeds its capacity of 25 beds. By putting mattresses on the floor and squeezing in extra beds, the Shelter does not turn away women if an immediate threat of violence or abuse exists. This policy to serve all women in immediate need is not without some risk because the Jackson Shelter is penalized by the local welfare department if the number of women and children housed in the shelter exceeds 25 on any given day.

The Junior League of Cedar Rapids, in collaboration with the local YWCA has, since 1983, provided funds and in-kind goods to the Women's Emergency Shelter in its community. The Shelter provides counseling and case advocacy in addition to shelter services and operates a 24-hour crisis hot line. The Cedar Rapids Shelter also receives some of its funding through the Family Violence Prevention and Services Act. In Iowa, the Family Violence Prevention and Services Act funds are administered by the Iowa Commission on the Status of Women. The Commission reports that in granting the funds released to Iowa in 1986, it made the decision to award some funding to all applicants even though in most cases the funds granted were less than requested. The Commission decided that rather than making large grants to a few applicants, it would provide some funding to all the programs to enable them to keep operating while they sought other funding.

In addition to receiving family violence funds and funding from United Way, the Cedar Rapids shelter also receives 27% of its budget from Linn County. Because the county funds largely are made up of federal revenue-sharing dollars which are scheduled to expire, the continued availability of funding from such federal programs as the Family Violence Prevention and Services Act is particularly acute for the Women's Emergency Shelter.

In addition to supporting the Shelter, the Junior League of Cedar Rapids also has been engaged in advocacy on the issue of family violence. It is a member of the statewide Iowa Coalition

Against Domestic Violence which helped draft legislation which mandates that police arrest and jail overnight a suspected abuser even if the arresting officer did not actually witness the violence or abuse. The legislation was passed by the Iowa legislature during its most recent session and is awaiting the signature of the governor. In addition to its work with the Coalition, the Cedar Rapids Junior League also has negotiated successfully with the local county attorney to establish a policy requiring that the misdemeanor conviction record of an abuser be made available to the court before sentencing. Previously, the court saw only prior felony conviction records.

In Bellevue, a suburb of Seattle, the Junior League of Seattle supports the Eastside Domestic Violence program which operates a network of safe homes for victims of family violence. In addition, the program provides advocacy and counseling services, a children's support group, a 24-hour crisis hot line and a community speaker's bureau. The program works closely with local police and law enforcement officials. When notified by the police that a victim of family violence has come to the courts for assistance, the program can make available a law advocate who will assist the woman in negotiating the court system.

In Ohio, the Junior League of Toledo assists the Women's Shelter Project, the only short-term, emergency shelter for victims of domestic abuse in Northwestern Ohio with comprehensive counseling and services. The shelter was opened in 1977 by the YWCA, with five rooms set aside on a residency floor as a place where victims of domestic violence could safely reside with their children until alternative housing could be found. With the funding and volunteer assistance of the Junior League of Toledo, the shelter now encompasses a full residency floor that can house up to 15 women and their children at one time. In 1980, when the League first became involved, the Shelter served 251 women and children; last year, it served nearly 900.

The Junior League of High Point, North Carolina started Family Service in 1940 to provide the community with an agency that could reach out to families in crisis. The Women's Shelter Project of High Point has been administered through Family Service since 1985 with the Junior League of High Point providing both dollars and volunteers to help make this program a success. Last year, 72 women and 90 children were housed by the shelter. Alternative housing placements for 48 additional families unable to be accommodated by the shelter also were provided.

In 1985-86, the Evanston Shelter Project in Illinois, supported by the Junior League of Evanston, provided more than 8,600 nights of free shelter to battered women and their children, nearly 3,000 hours of counseling and advocacy, and over 3,000 hours of group counseling. The residents of the shelter can stay up to three months and receive an average of three months of counseling.

The Evanston Shelter is the sole facility serving its community. The number of clients served has increased from 249 in 1983-84, to 405 in 1985-86; the shelter is forced to turn down an average of 60 requests for services from women per month due to lack of space. For this reason, the New Trier Township Satellite was recently formed in the northern suburbs adjacent to Evanston. The Satellite provides counseling, information and referrals to those for whom the shelter is out of reach.

The Junior League of Evanston also actively supported passage in Illinois of the Domestic Violence Act of 1986, legislation which will provide a permanent source of state funding for domestic violence, and is a member of the Illinois Coalition on Domestic Violence. The League also worked for passage of the Family Violence Prevention and Services Act at the federal level and requested the Department of Health and Human Services to publish the federal regulations needed to release family violence funds funds to the state.

Recommendations for Legislation

The Junior League projects highlight issues of concern to family violence shelters all over the nation. Preventive measures to break the cycle of violence, as well as comprehensive services for both adults and children and both women and men, who already are victims of violence, must be provided. Within their communities, the Junior Leagues also document a disturbing fact: existing shelters are too few--in many cases, one shelter serves numerous communities. As a result, many families in need of assistance must be turned away.

Many say that family violence is a community problem and must be resolved at the community level. We agree, to a point. Private and local resources have provided the major funding for family violence programs and services. As we have pointed out, many state and local organizations, including Junior Leagues, are working in their communities to solve this problem. However, it also is clear that these resources are strained beyond capacity.

It also is important to note that the Family Violence Prevention and Services Act provides funding for training law enforcement officers regarding family violence. Approximately $550,000 of the first funds appropriated were made available to the Office for Victims of Crime of the Department of Justice's Office of Justice Programs to train 750 law enforcement executives throughout the country. The Office for Victims of Crimes expects to get additional funding to conduct further training with the FY 1987 funds which have just been released. However, planning by the Office for Victims of Crime would be greatly enhanced if it could plan ahead several years. This is impossible as long as the future of the Family Violence Prevention and Services Act is in jeopardy.

The Relationship of Family Violence to Child Abuse

Another reason for the Association's interest in family violence services is our concern about child abuse and neglect and the well-being of children. It is clear that family violence is harmful to children. While all child abuse and neglect cases may not involve spouse abuse, we believe that all family violence witnessed by children is abusive and harmful to children. Further, most agree that violent behavior is learned and that many abusive parents were abused as children.

Junior Leagues have had a longstanding interest in child abuse and neglect. In 1985-86, there were nearly 85 Junior League child abuse projects. The issue of child abuse and neglect was one of the most frequently reported public affairs activities, with 44 Junior Leagues and 12 State Public Affairs Committees involved in public affairs activities related to child abuse and neglect. While the relationship between family violence and child abuse is not always clear within policies and programs, we believe the connection is visible to volunteers and paid employees who work on either problem in their communities. It is not merely coincidental that these two issues are selected out for more concentrated efforts by Junior Leagues--they recognize that family violence and child abuse are among our nation's most serious domestic problems. For this reason, we are working with the National Child Abuse Coalition to ensure the reauthorization of the Child Abuse Prevention and Treatment Act.

Conclusion

We do not believe that the Congress of the United States and the federal government can afford to ignore the issue of family violence. Federal leadership is necessary to bring the urgency of this problem to the forefront of public attention and to help close the gap between the need for family violence programs and the services available. We strongly support the reauthorization of the Family Violence Prevention and Services Act, and we urge full and timely release of any funds appropriated.

The Family Violence Prevention and Services Act can play a key role in facilitating the development of community programs which will respond to the serious problem of family violence in this country. We believe federal leadership is needed in addressing the problems of spouse abuse and child abuse. We commend you for holding hearings on this important and sensitive issue, and urge you to work to ensure that the federal government mobilizes its resources to address this serious problem. Thank you for the opportunity to appear before you today to present the Association's position in support of the reauthorization of the Family Violence Prevention and Services Act.

Cynthia A. Grove
Member, Board of Directors
and Public Policy Committee
Association of Junior Leagues, Inc.

Senator Dodd. Thank you, Cynthia very much, and I thank all three of the witnesses, along with Patricia Price, who had to leave.

If I can, I will try to keep this relatively brief. I will address a question to each of you individually; but if others have any comments and would like to jump in, do not hesitate to do that.

Anne, starting with you, I listened to Patricia talk about that period of time she went through from the time she made her first phone call until she actually went in to the shelter itself.

Without trying to give me 55–45 kind of percentages what is the desire of women who go to shelters? Do they desire to get back with their families? Is it that notion? Or is it a question of once they have gone into the shelter, that is it, they have crossed a line and at that point they do what she did? It then becomes a matter of taking legal action, filing for divorce, doing all of those other things?

Ms. Menard. That is a real important question and I appreciate you asking it.

I think many, many women who come to shelters in Connecticut, and I suspect that this is not different in other States, do not want to end their relationship as much as they want the violence to end. We hear all the time, "I would love for this relationship to work, I just want him to stop beating me".

Many women are desperate to find resources to help make that happen. I think until very recently there have been very few programs for batterers. There have been very few options for women who want that to happen. Most batterers are very much unwilling to go to therapy, to take responsibility for their violence.

I think one of the things that Connecticut's Family Violence Law does is provide some real incentives to offenders to look at their behavior to take responsibility for it. So there are legal and social incentives for them to do that, and there are also services that make it easy for them to begin that process.

I think it is clearly a function of how long the violence has been going on. I think for a woman who has been experiencing violence for a very long period of time, it may be such a pattern in that relationship that no offender program, no amount of therapy, no amount of criminal and civil incentives will break that pattern, and in that situation, certainly, probably her only option is to end, the relationship and shelters support women in that decision.

Our goal with women is to help them escape violence. If they can do that in some other way than leaving the relationship, we would certainly support that.

Senator Dodd. Do we do any follow up statistically, that you know of? I was sort of shocked by the statistics, Elise, that you mentioned where you had a period of time when you have very few returnees. I saw you, your eyes jump——

Ms. Menard. Right.

Senator Dodd [continuing]. When she said then like 135 in that one period.

Ms. Menard. Right.

Senator Dodd. What was going on?

Ms. Evans. Well, it was the Follow Up program, and so we were able to maintain contact with the women during the Follow Up program, which has been funded by this Act. That every two-week contact and staying with the family helped them to continue to work on their problems instead of coming into the shelter, making a choice to return to the relationship, going back to the relationship and then needing to come back to the shelter.

Ms. **Menard**. I think what is really key—if I could add one thing—what is really key and what we are finding to be very effective in Connecticut, it is important to provide that information early in the cycle or pattern of abuse.

Senator **Dodd**. Which information?

Ms. **Menard**. Information about services. Intervention is actually the word that I meant to use. To provide that very early on before the pattern becomes established, before the violence becomes very severe. If you get them at the point where it is primarily verbal abuse or low-level violence, you are much more likely to have an impact on the violence in that relationship than if you are at the point where he is seriously injuring her.

Senator **Dodd**. I just suspect—and I think that Patricia is the good example—people just are not inclined to want to reach out for services until it really reaches a desparate point.

Ms. **Menard**. Until they are desperate. Until they have no other options. Shelters certainly understand that they are the last resort.

Ms. **Lopez-DeFede**. But the reality with the Follow Up program is that the crisis for that woman does not end at the end of that 60-day shelter stay, because the shelter is only funded as crisis intervention and we must limit the number of days that a family can stay.

When she leaves that shelter, whether she chooses to return to her home or whether she chooses to move on, as Patricia did, she still needs support in dealing with the violence in her life.

Senator **Dodd**. No question. I appreciate that.

Let me ask about the offenders. In the Connecticut law there is a key component that deals with the offender and treatment for the offenders, in most cases the husband.

I watched the Donahue Show the other day and they had these men on who had been allegedly abused by their spouses. It was an interesting show. I presume he has done other shows on men abusing their spouses, but the danger of it is that it is not proportional, I suspect. I think it is less than 5 percent, and even at that it may be high, talking about 5 percent.

Ms. **Menard**. And the other reality, I think, is that shelters—certainly shelters in Connecticut—respond in the same way if a battered man calls up. So services are also available.

Senator **Dodd**. But I think that is an important point. Obviously, we are talking about people here, the abusers, who may be either substance abusers—although I am not saying that makes them an abuser, but that can be a problem—or unemployment—I mean, there are all sorts of things that come into play in these things.

It is not excusing the behavior, but merely trying to understand it, and then to treat it, if there is something that can be done.

One, tell me what sort of things you are doing for the abuser? And secondly, what are you doing for the victim?

How would you suggest that we try and incorporate as part of our reauthorization bill an element that encourages States to deal with the offender? Obviously, it would seem the ideal thing is to end the violence and restore the relationship. Patricia is lucky, there is a new person in her life and a new child.

Ms. MENARD. And what is very likely is her former abuser is now abusing someone else.

Senator DODD. That is the danger. Or they go back in the relationship and it starts the cycle again, or the new-borne child becomes the victim of the abuse.

What do you recommend in that regard? Again, I ask that to all of you, and you can kind of jump in if you would like, but I will start with you, Anne.

Ms. MENARD. Thanks. I think it is real important to do both of those things. To provide offender services without making sure that there is adequate protection and support services for victims leaves victims in a very vulnerable state. To not respond to the requests that we receive from victims all the time to try to help them try to maintain that relationship would be irresponsible

I think sometimes that is very compelling when there are children and the abuser, although they are abusing the woman, happens to be a very good father to those children, and that creates a particularly difficult decision for that woman to make if there are no services available. So I think it is a very important balance to make and both of those areas need to receive very concerted attention, and they need to be coordinated and linked.

I think for me one of the strengths of the Connecticut law is victim services and services to offenders are coordinated through the court system, and they are coordinated with law enforcement. And the criminal justice system responds to family violence.

So there is an attempt to deal with this very complex problem in a comprehensive way. I think that is the key, and any way that that kind of an approach can be encouraged through the Family Violence reauthorization, I think provides us the best hope for really making a dent in reducing family violence.

Senator DODD. Are we tracking that at all in Connecticut? How many of these offenders are going into treatment?

Ms. MENARD. We are collecting a lot of good data and there is a high concern that there be good analysis done of that data, so there will be research.

It may be a while before we are real clear what the impact is, but there are certainly enough of us that are really concerned that we be able to evaluate what works and what is not working, what is not having the kind of impact that we want it to have.

Senator DODD. Cynthia, do you want to comment on this?

Ms. GROVE. Just that there are Junior League projects currently which do provide services and support and innovative programs for the batterers, and that is part of the projects. I do not have the names of those right off the top of my head but I can get them for you.

Senator DODD. I would appreciate that.

We have got a vote on, and I am going to try and wrap this up a little bit so we do not have to come back and hold you up.

One of the problems you may have heard if you were here when I was talking with Dr. Elder from Health and Human Services, is the whole question of budgets.

Apparently the Administration may have other problems which they are not coming forward with, but they cite the States' use of title XX funding, the Social Services Block Grant, so they do not need this program.

Putting aside the leadership issue, the models, the data collection and so forth that helps, enlighten me a little bit as to what is happening with funding? I am going to start with you, Cynthia, because you have the national perspective on this.

What is going on with this?

Ms. **Grove**. Well, I would just like to liken it to what I know is happening in our area in Stamford-Norwalk in Connecticut, and that is that the Women's Crisis Center which is struggling to open and will open in Norwalk within the next couple of weeks, receives a very small amount of money right now—approximately $5,000—from this Act.

But they are really struggling, as I am sure most shelters are throughout the country. There are not enough community resoures to support these shelters.

They must have Federal support, and, in fact, when the Women's Crisis Center applied for money to the City of Norwalk for their program they were denied. They were not given a cent, let alone what they had asked for.

So I would take grave exception with the idea that there is enough money and that Title XX money is being used and that nationwide this money is not needed. I believe that it genuinely is.

Senator **Dodd**. Ana?

Ms. **Lopez-DeFede**. In the State of South Carolina, none of the shelter programs are presently funded under Title XX funds. Additionally, when Dr. Elder mentioned the need for child abuse money in order to be used in terms of children's services, there is a great distinction between children who have been identified as victims of child abuse, and children growing up from violent homes who are not identified as potential victims of child abuse and/or neglect.

And so, to think that funding that has been allocated for support or to provide services for victims of child abuse will make an impact on family violence, it really is not appropriate. We have not seen any correlation in terms of funding that has been allocated to the State of South Carolina for child abuse services going into the area of family violence.

Senator **Dodd**. Anne, do you have any comment?

Ms. **Menard**. Connecticut does use some of its Title XX money to support shelters, and I am not sure what percentage, but I can get you that, what percentage of the total State funding is SSBG money.

I would certainly concur that none of the child welfare money——

Senator **Dodd**. But there is a lot of competition for that Title XX funding.

Ms. **Menard**. Yes, there is. I think what is important is that States do not automatically identify family violence as a priority in their State. Connecticut happens to be one of those States that does use its Title XX money in that way, but clearly, other States do not.

I think it is very important for there to be specific Federal monies that are targeted for family violence.

Senator DODD. Well, listen, you have all been terrific.

I am afraid the bells are going to ring again. I have to give myself three minutes to get over for that vote.

We will draft up some legislation. I will be interested in having your comments on it, particularly those of you who work as intimately as you do with the issue.

We have got our work cut out for us, although I must say I was impressed to hear Senator Thurmond and Senator Hatch talk about their support for reauthorization. The only fear I have is that we get it done here and then we sent it downtown and it gets a veto. And so we have to look at places to attach this.

Ms. MENARD. If there is anything that we can do to help you in this task, please let us know.

Senator DODD. Absolutely. Do you know the President personally, Anne?

Ms. MENARD. Well, no. But I would be willing to write him a letter.

Senator DODD. I thank you for that. I thank all of you for being here. I apologize for the length of the hearing and having you sit around and wait, but you have been very helpful.

[Additional material submitted for the record follows:]

Transracial Adopton: A Point of Reflection?

Howard Altstein, DSW and Jeffrey Rosenberg, MSW

(presented at the Third National Conference on Intercultural Families; Washington, DC; October 29, 1986; currently unpublished)

Few issues in child welfare today invoke as much impassioned argument as transracial adoption. Indeed, for the ones who have the most to gain, or lose, -- the children -- the stakes are high. Of the at least 36,000 children legally free and waiting to be adopted, 50% are estimated to be minority children (American Public Welfare Association [APWA], 1985). Disproportionately, minority children reside in the non-temporary, legal limbo that so often is foster care -- not part of the family that brought them into the world nor fully part of any other family. At the end of 1982, over one-half (55.6%) of the black children in foster care were in care for two years or more, while a little over one-third (36%) of the white children were in care for two years or more (Maza, 1983).

The goal is, quite obviously, to find permanency for these children through adoption. Time pressures are heavy. The median age of children waiting to be adopted was 9 years at the end of FY 1983; the median age of children adopted from the public welfare system in FY 1983 was 5.6 years (APWA, 1985). We know that the median age of children in foster care has been rising (Gershenson, 1985). It can be concluded therefore, that the median age of children waiting to be adopted is rising, making it all the more pressing to move these children into permanent homes as quickly as possible.

What has been the matter of great debate is whether to use transracial adoption as a permanency option for these children. The debate, which has been raging for at least 16 years, is clearly illustrated by contrasting the positions of two national organizations. The National Association of Black Social Workers, in testimony before the Senate Labor and Human Resources Committee in 1985, states:

> "We are opposed to transracial adoption as a solution to permanency placement for Black children. We have an ethnic, moral and professional obligation to oppose transracial adoption. We are therefore legally justified in our efforts to protect the rights of Black children, Black families, and the Black community. We view the placement of Black children in white homes as a hostile act against our community. It is a blatant form of race and cultural genocide (emphasis in original) (Merritt, 1985)."

The formally adopted position of the National Committee For Adoption states, in part:

> "In adoption, the best interests of the child should be the first consideration. In looking at the best interests of the child, we believe that considerations related to race or ethnicity should be kept in mind. Usually, placement of the child should be with a family of a similar racial or ethnic background. However, the placement of a child should not be unduly postponed because such a similar family is not available if otherwise qualified prospective adoptive parents of other races or ethnicity are available. In no instance should the permanence of an adoptive home be withheld from a child because a home of the same race is not available (National Committee For Adoption [NCFA], 1984)."

This debate is current. However, it is not static. As this paper will discuss, a large body of research and a great deal of legal activity, both judicially and legislatively, have grown around this issue. This paper will present a review of current research, including soon to be published research by one of the authors of this article, a look at the

Constitutional framework in which this issue falls, and what can best be described as the "state of the battle" as it exists today.

In real life, how does it work?

Researchers in the field of transracial adoption have only been seriously studying this type of child placement for about a dozen years, with the bulk of research appearing in 1983. In that year several comparatively large scale studies were released. These studies will be discussed as this section develops.

Aside from David Fanshel's *Far From the Reservation* (1972), which can be termed the first empirical investigation of transracial adoption on any scale, the 1960's saw some small scale examinations of this phenomenon (see Kadushin, Alfred, "A study of adoptive parents of hard-to-place children," *Social Casework*, XLIII, no. 5, 1962, pp 227-33. Billingsley, Andrew and Giovannoni, Jeanne, "Research perspectives on interracial adoption," in Hiller, Roger, ed., *Race, Research and Reason* (NY: NASW), 1969, p. 58. Galley, Grace, "Interracial adoptions," *Canadian Welfare*, 39/6, Nov-Dec, 1963, pp. 248-50. Fiske, Harriet, "Interracial adoption: the little revolution," *Social Work*, 10/3, July, 1965, pp. 92-97).

The remarks appearing in this paper will relate only to empirical investigations on transracial adoption involving samples of any size.. In the field of transracial adoption, a sample "of any size" would be in excess of 75 families. Additionally, this discussion will not include reference to other works in the general field of adoption.

The initial study of transracial adoption involved native-American children and appeared in 1972. By speaking only with the white adoptive parents, Fanshel examined the adjustment patterns of 97 native-American children. On the whole he found grounds for cautious optimism in his results. Only 10% of the parents saw their children's future adjustment as guarded. Fifty percent were defined as having relatively problem free adjustments with another 25% showing adequate adjustments. Many of the parents predict or fortell future difficulties for their children when they reached their adolescent and adult years. A relationship was seen between the extent of full-bloodedness and the degree of difficulty. Fanshel only spoke with the adoptive parents in assessing the childrens' adjustment. In his study's conclusion Fanshel was prophetic. He indicated that the continuation of transracial adoption would be based more on political considerations than on the weight of evidence generated by empirical studies (Fanshel, 1972).

In 1974, Lucille Grow and Deborah Shapiro published the results of their study of 125 families who had transracially adopted black children. It was the first examination of this phenomenom using a sample large enough to draw some beginning evaluations. The major purpose of their study was to assess how successful these adoptions had been. In their investigations the authors used the following measures:

1) the child's response to the California Test of Personality and the Missouri Children's Behavior Checklist Test;

2) three scores based on physical and mental symptoms reported by the parents as present or absent in their child;

3) significant adults' evaluation of the child (eg., parents, teachers) and parents' assessment of the child's relations with his/her siblings;

4) the parents' assessment of the child's attitude towards race.

On the basis of the children's scores on the California Test of Personality, Grow and Shapiro concluded that the children made about as successful an adjustment in their adoptive homes as other nonwhite children had in prior studies. Seventy-seven percent had adjusted successfully. When the parents of these children were questioned about their expectations concerning their adoptive children's adjustment after adolescent and in adulthood and the children's future ties with them, Grow and Shapiro reported that by and large the parents were optimistic. One-third of the parents did not anticipate that their adoptive children would experience future difficulties. In fact, 18% did not believe that any trouble lay ahead (Grow and Shapiro, 1974).

In 1977, two interesting pieces appeared, an article by Alicia Howard, et. al., and a book by Joyce Ladner. Both dealt with different aspects of transracial adoption.

Howard and her co-authors published the results of a survey of 150 black households. Interestingly, they found that 57% of the blacks had an "open" attitude (eg., they did not dislike and did not strongly object to transracial adoption). Seven percent were "most unfavorable"; three-fourths agreed that if no black home were available, a white home was probably preferrable. What Howard's study indicated was that of the blacks surveyed, a majority were not hostile to transracial adoption (1977).

Ladner's book was based on a series of interviews. One of her main conclusions was that not only should white parents who adopt black children live in integrated neighborhoods but that close contact with the black community was essential if transracially adopted black children are to establish a healthy sense of racial and personal self (Ladner, 1977).

In 1982, Ruth McRoy, et. al., published an article comparing a group of transracial adoptees with other inracially adopted black children. McRoy found remarkable similarity between the respective groups' adjustment scores. This design was comparative in nature; therefore we have included it in this discussion even though it had an N of 60 -- 30 transracially adopted and 30 inracially adopted black children.

In 1983, two additional books appeared on the subject of transracial adoption, one from England, one from the United States. The English book was entitled Adoption and Race: Black, Asian and Mixed Race Children in White Families (Gill and Jackson). The other was entitled Chosen Children: New Patterns of Adoptive Relationships (Feigelman and Silverman).

In *Adoption and Race*, Gill and Jackson spoke with teenaged transracial adoptees. Their findings reported what is by this time an almost predictable pattern. These children felt close to and part of their families and they felt strongly identified with their own racial background even though their exposure to racially similar people was somewhat limited. Using four social variables, family relationships, peer relationships, behavioral difficulties, and self-esteem, Gill and Jackson concluded that the majority of children in their study experienced no problems in these areas (1983).

Feigelman and Silverman reported that about 75% of the white parents of black children in their study indicated that their black children were "mostly well adjusted". Those children not doing well were those who had had traumatic pre-adoptive experiences (1983).

The remainder of this discussion will deal with the works of Rita Simon and one of the authors of this paper, Howard Altstein: *Transracial Adoption*, 1977; *Transracial Adoption: A Follow-Up*, 1981; and *Identity and Commitment: Transracial Adoptees and Their Families*, 1986 (forthcoming).

In 1972, we (in this discussion of research "we" refers to Dr. Altstein and his co-researcher, Dr. Rita Simon) interviewed 204 families and 388 children. The children ranged in age from 3 to 8 years of age (Simon and Altstein, 1977). All the families lived in the midwest. We were interested in knowing why the parents chose to adopt a child(ren) racially different from themselves, how this decision altered their lives, how they saw their children's future identities, and what relationship these transracially adopted children had with their new siblings. Regarding the children themselves, we were interested in their racial attitudes, identities, and awareness.

Some of the results indicated that at this very early stage, non-white children did not feel that white children were any smarter, prettier or cleaner than they were. Their white adopted siblings on the other hand, did not feel that non-white children were mean, unintelligent or dirty. What we found then was that these children did not view the world through popular racial stereotypes.

In 1979, we attempted to locate as many of the original 204 families as we could to see how they were doing (Simon and Altstein, 1981). We found 143 families of which 133 consented to be interviewed. The eldest child at that time was 14. In this study we focused on the parents' reaction to transracial adoption. Again, we were interested in some of the same areas we examined in our first work. Throughout all three of our works, similar areas are investigated: areas such as parents' relationship with both their adopted and non-adopted children, how the adoption affected their relationships with their spouses, extended families, etc. The parents reported that an overwhelming majority of their adopted children were doing well in school, had friends of both colors, were happy, optimistic and were very much a part of their families. However, it was not a completely "rosy" picture. There were problems, some of which were directly attributable to the adoption. Stealing from other family members by the adopted child, more often than not by the male adopted child, was cited as the most common problem.

Four years after our second study, in 1983, we began work on the third phase of our investigation (Simon and Altstein, 1986). Ninety-six families were located. In all, 218 children were interviewed. Their average age was 16.5. An interesting finding is the friendship patterns of these teenagers. Even though a majority of the families live in white communities, black transracial adoptees were just as likely to choose white friends as were any of the other children in their family. In other words, they did not appear to opt for black friends solely because that person was black.

While the transracial adoptees tended to have white children as "best friends", they tended to date non-whites. If we could project in terms of marriage patterns, the transracial adoptees will probably marry non-whites. Our data does not support the contention of some that these children will be confused when it comes to dating.

One of the issues of interest is how these adoptees feel being perhaps the single person of color in an all white family living in a predominantly white community. We asked them that question. Seventy percent stated that being a person of color in an all white family, with perhaps one or two other non-whites, really gave them no trouble. They were happy being who they are and for the most part did not want to be the color of their families.

The major question which should be asked is how does being transracially adopted affect an individual's sense of social and psychological functioning. Can these children really feel, "down deep", that they belong to their adoptive families? We asked them that question. They responded in overwhelming numbers that indeed, they felt very much a part of their respective families. They saw themselves as full members of their families not different whatsoever from any other members. In fact, the responses of the transracial adoptees were closer to those of the birth children than to the white adoptees.

In terms of self concept, in our study there was not appreciable difference between all cohorts of children, birth and white/black adoptees. Our data are consistent with others' findings.

As of 1986, although there are no "absolutely conclusive data", there are major indicators of how these adoptees will "ultimately" develop. Several of these have been discussed. All current data suggest that these individuals are well intact young adults, positively identified with their respective races and clear about racial preferences of their future spouses (inracial).

The Constitutional Framework:
How we should treat transracial adoption

An honest appraisal of how our institutions, both legal and social, should handle adoption across racial boundaries must answer four questions, and four questions only:

1) What is the guiding principle inherent in our society's map of democratic relations, the Constitution, that specifically applies to this issue?;

2) What is the institutional purpose involved in this issue and how does this purpose relate to this guiding principle?;

3) How does race effect this institutional purpose?; and

4) How may racial considerations be used by institutions in achieving this purpose?

The guiding principle in the Constitution applicable to this topic is clear. The Constitutional framework lies within the Fourteenth Amendment. Section 1 of this amendment states that "[n]o State shall...deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws" (Lawyer's Cooperative Publishing Co. [LCPC], 1984). The equal protection clause has proven to be the most applicable to the issue of transracial adoption (for a discussion of the applicability, or lack thereof, of the due process clause see Grossman, 1968, pp. 336-337).

Many judicial rulings have made the Fourteenth Amendment a practicable doctrine which must guide our behavior in these cases. This doctrine is given life by judicial opinions such as those excerpted below (LCPC, 1984):

> [The] Fourteenth Amendment undoubtedly intended not only that there should be no arbitrary deprivation of property, but that equal protection and security should be given to all under like circumstances in enjoyment of their personal and civil rights; and all persons should be equally entitled to pursue their happiness and acquire and enjoy property (p.470).
>
> [The] Central purpose of equal protection clause of Fourteenth Amendment is prevention of official conduct discriminating on basis of race (p. 471).
>
> [The] Denial of rights given by Fourteenth Amendment can be by means other than legislation (p. 469).
>
> [The] So long as law applies to all alike [,] requirements of equal protection are met (p.469).
>
> [The] Question of equal protection is to be answered by practical considerations based on experience, such as whether classification has relation to purpose for which it is made...(p.469).
>
> [The] Exact equality is no prerequisite of equal protection of laws within [the] meaning of Fourteenth Amendment; [the] Constitution does not require things which are different in fact or opinion to be treated in law as though they are same (p.470)

The test of the equal protection standard is "essentially one of reasonableness: the equal protection clause requires states to 'exercise their powers so as not to discriminate between their inhabitants except upon some reasonable differentiation fairly related to the object of regulation'" (Grossman, 1968; p. 337). The "object of regulation", or institutional purpose, in issues of child welfare, transracial adoption obviously included, is the promotion of the best interests of the child. Thus this purpose, the promotion of the best interests of the child, is related to the guiding principle, the Fourteenth Amendment of the United States Constitution, by a test of reasonableness. It must be determined that it is *reasonable* to use race as a factor, in reality as a determining factor, in disposing of adoption cases in light of the purpose of promoting the best interests of the child.

To conclude that it is reasonable to use race as a determining factor in a child adoption case, it must be clear that issues of race have a clear effect upon the best interests of the child. In order to deny an adoption petition solely on the basis of race, it must be clear that racial differences between the child and the prospective adoptive parents will have a negative effect upon the long term welfare of the child. Clearly, as the research review provided above indicates, it is not clear that a racial difference between the child and the adoptive parents has negative effects upon the child; in fact, just the opposite is true. Therefore, it is not reasonable to use race as the determinative factor, all things being equal, in deciding an adoption case. Denying a child an adoptive home based solely on racial considerations can never pass muster in a test of equal protection under the laws.

Quite often, during the debate over transracial adoption, there has been a misunderstanding over the applicability of the equal protection clause of the Fourteenth Amendment. Opponents of transracial adoption have stated that the equal protection argument we have outlined above is a misuse of this clause. When asked if it is a violation of the equal protection clause to deny adoptions solely on the basis of race, William Merritt, then president of the National Association of Black Social Workers, responded in testimony before the Labor and Human Resources Committee of the United States Senate, that "Senator (to Committee Chairman Orrin Hatch), I think the question is should we have a lottery of children and place white children in black homes...The question relates to whether whites should be denied the rights to adopt" (Merritt, 1985). A misunderstanding of the applicability of the equal protection clause is clear in this statement. There is indeed no "right" to adopt a child (see for example Drummond v. Fulton County DFACS, 1977). It is not a violation of the equal protection clause when a white couple is passed over in favor of an equally appropriate black couple to adopt a black child. It is a violation of the clause, however, and an invidious use of race, when permanency is denied a child solely due to racial considerations. When a minority child remains waiting for a racially matching adoptive home when a Caucasian couple is willing and able to adopt that child, that child has been denied permanency solely on the basis of race. Counter to the requirements of the equal protection clause of the Fourteenth Amendment, this child is left in impermanency based on a use of racial considerations which have not been shown to be reasonable.

A long line of judicial opinions have made it clear when and how it is appropriate to use racial considerations in adoption. The body of case law in this area has told us that race may be used as a factor, one among many, as is religion (for a complete discussion of the case law in this area see Rosenberg, 1985). Race may not be a decisive and determinative factor, however. One of the earliest judicial writings putting forth this proposition is found in Re Adoption of a Minor (1955). Judge Bazelon, writing for the U.S. Court of Appeals for the District of Columbia, states that "denial of the adoption [could not] rest on a distinction between 'social status' of whites and Negroes. There may be reasons why a difference in race or religion may have relevance in adoption proceedings. But that factor alone cannot be decisive in determining the child's welfare. It does not permit a court to ignore all other relevant considerations." While an argument could be made that race should never be used as a consideration (see In Re Custody of Temos, 1982, for example), subsequent opinions have, for the most part, continued this line of reasoning. Drummond v. Fulton County DFACS (1977), the U.S Court of Appeals for the Fifth Circuit, the highest court yet to deal directly with a non-relative transracial adoption, provides the most exhaustive examination of the equal protection clause and its relationship to adoption. The Court writes that cases involving religious considerations "make the same distinction as this Court makes in the racial context. So long as religion is not an automatic factor, its consideration as one of a number of factors is unobjectionable...To permit considerations of physical characteristics necessarily carries with it permission to consider racial characteristics" thus, "the use of race as one of those factors is not unconstitutional."

As shall be evident from the discussion below, the judicial interpretation allowing limited use of racial considerations, while correct, allows for great latitude on the part of institutions and their individual employees. It is latitude great enough to keep the battle between opponents of transracial adoption and those that see transracial adoption as an option for children raging.

The State of the Battle

Like the examination of every battle, this one is enlightened by some historical perspective. This historical review will be undeservedly brief. A more complete look at the judicial and social histories of this issue are provided in Simon and Altstein (1977; 1981), Kadushin (1980), and Rosenberg (1985)..

Organized efforts of social service agencies to use Caucasian families as resources for waiting U.S. minority children began in the mid-1950's. The first such programs, New York City's Adopt-a-Child program and San Francisco's MARCH (Minority Adoption Recruitment of Children's Homes), were created in 1955. Transracial adoption increased throughout the 1960's. In 1968, it was reported that 700 such adoptions took place. This number rose to 2,574 by 1971 (Kadushin, 1980).

By the beginning of the 1970's, opposition to transracial adoption by minority organizations began to congeal. In April, 1972 the National Association of Black Social Workers stated its "vehement opposition" to the practice of transracial adoption and called such adoptions "a growing threat to the preservation of the black family." As a result of this "vehement" and often vociferous opposition, agencies that might have otherwise placed a waiting minority child with a white couple began to shy away from transracial adoption. Transracial adoption became less and less common. In 1975, only 831 such placements were reported (Kadushin, 1980).

While accurate data are not available, it is probably correct to say that the adoption of minority children by white families is less common today than it was at its short-lived zenith at the beginning of the 1970's. This is not because minority children are no longer waiting; data presented earlier in this paper show that they are. This is not because of any apparent lack of white families who would be willing to adopt these children. In fact, given the rising number of American couples and individuals who adopt racially different children from other countries every year, this seems quite the opposite. It is because the battle is still raging.

The National Coalition to End Racism in America's Child Care System, a national advocacy group focusing on this issue, tells of reports from most states of white would-be-adopters and minority children who are being discriminated against by social service agencies. Within the last several months alone, the authors of this paper have heard from at least three couples who expressed an interest in adopting a waiting minority child but were rejected by agencies because of race. One woman had called every agency in an eastern city with custody of waiting children and was told that white families were not considered a resource for minority children, even though she herself had already adopted a minority child. Another couple had contacted an adoption resource exchange and were told that the exchange had a policy against placing minority children with white families, even though 50% of the children listed on the exchange were minority.

Legal action continues on this front. In the last year, the state of Michigan was successfully sued for the invidious use of race in its foster care and adoption practices, the state of Illinois was compelled to sign a letter of compliance with the Office of Civil Rights of the U.S. Department of Health and Human Services, two complaints were filed with the Office of Civil Rights against California and New York, a celebrated and successful case was brought in a Houston court by a white foster couple who were initially rejected as adoptive parents for their black foster child, and the state of Connecticut passed a law making it illegal to deny an adoption petition based solely on race. The year before, Maryland became the first state to pass a similar law after a celebrated case in which a county Department of Social Services tried unsuccessfully to block the adoption of a dark-skinned, Colombian-born, four-year old child by a white couple who worked as special education teachers.

The judicial decisions, such as those found in Drummond (1977) and Iemos (1982), that could have meant the end of racial discrimination in adoption practice clearly have not had that effect. This is true because of two reasons. One, is the fact that the decisions, as the Constitution deems they must, tell us that race can be used as one consideration among many. Second, is the fact that we grant agencies practically unlimited discretion in determining the acceptability of adoptive applicants. These two factors, taken together, allow agencies to use race "de facto" as the sole criteria in determining the eligibility of adoptive applicants. So the question then becomes whether we have reached the point beyond which we can go no further in mandating the limits of social service agencies in the area of race and adoption -- a point where the Constitution provides limits but where individual social workers enjoy unlimited latitude by virtue of their professional standing. Or is there a point beyond, one where the social worker is provided the individual discretion rightly afforded to social workers by virtue of their training and professional standing and where, at the same time, this discretion is properly and predictably controlled by practicable implementation of the Constitutional principles? The answer is perhaps found by examining the Michigan case.

The Committee to End Racism in Michigan's Child Care System, and James Quinn and Margaret Quinn v. Agnes M. Mansour, Director of the Michigan Department of Social Services arose from the Department's unilateral decision to remove a black child from the care of a white foster couple. The foster couple, the Quinns, had been entrusted with the care of a then two-and-a-half-year old black boy since the child was one-year-old. Prior to being placed with the Quinn's, the child had been in at least three different foster placements.

On September 24, 1985 the American Civil Liberties Union Fund of

Michigan filed suit not only on behalf of the Quinns, but also on behalf of the Michigan Committee to End Racism. Besides alleging that the specific child in question and the Quinns were denied equal protection under the laws, the suit also alleged that "large numbers of children, primarily black children, remain in foster care until they reach the age of majority, although, if they were available for adoption by parents of a different race, many of such children likely would be adopted by such parents" (complaint of the plaintiffs, pg. 8). The complaint also included other allegations, perhaps the most shocking of which was the allegation that siblings were separated because "black parents who have adopted a biracial child are prohibited from adopting the child's white sibling" solely because the child was white and the adoptive parents were black (complaint of the plaintiff, pg. 8).

The plaintiffs sought the immediate return of the child to the care of the Quinns as well as a judgement declaring that "where parents of the same race as the child are not available for the placement for adoption of the particular child, or where parents of a different race are the most suitable parents for the adoption of the particular child, according to neutral criteria developed by the Department, the adoption of the child by parents of a different race shall be permitted" (complaint of the plaintiffs, pp. 12-13). The plaintiffs also sought judgement declaring that "biracial children be available for adoption by parents of both races" (complaint of the plaintiffs, pg. 12), that foster parents who are of a different race than their foster child be given equal opportunity to adopt their foster child as are foster parents who are of the same race as their foster child, and that "foster children shall not be removed from the home of the foster parents solely on the ground that the foster child is of a different race than the foster parents and a foster home with parents of the same race as the foster child has become available" (complaint of the plaintiff, pg. 14).

During preliminary hearings, Federal Judge Robert DeMascio ordered the return of the specific child in question back into the care and custody of the Quinns. Judge DeMascio also made it quite clear that, should this case come to court, the Department could very well expect to lose on all counts.

On January 13, 1986, a landmark consent decree was received and accepted by Judge DeMascio. The consent decree, binding on all parties, placed the adoption and foster care programs of the Department under the jurisdiction of the federal court for a period of three years. The specifics of the consent decree provide clear and predictable boundaries for the discretion of agencies in using racial considerations in adoption decisions. Indeed, the major provisions of the consent decree could be used as a model for other jurisdictions.

The Michigan consent decree sets forth specific conditions which are to be considered when making a determination regarding the best interests of the child. One of these conditions is race. The decree clearly acknowledges, however, that all these conditions need not always be met in making an adoption plan for a child. The decree states that "it may not always be possible to place a child with a family that meets all of the best interest criteria for the child. The criteria used to determine the best interests of the child shall not be used to prevent adoptive placement of an available child" (emphasis added).

A clear procedure for finding an adoptive home for waiting children is set forth in the decree. First priority must be given to families already approved for adoption. Children may not be kept waiting for adoption while the agency recruits for a racially matching family specifically for that child. If the local department of social services (DSS) does not have a waiting family which meets all of the child's "best interest criteria", the local DSS shall then make known to local deparments around the state the need for such a family. If, after 90 days, an already approved family that meets the child's "best interest criteria" is not identified in the state, the local department "shall select a family from those already approved that most nearly meets the best interest criteria established for the child." Families that "most nearly meet the best interest criteria" must include families that are appropriate but not racially matching.

This is a clear framework with clear boundaries. Minority children are no longer to sit and wait in foster care when a racially matching family is not available but an otherwise appropriate family of a different race is.

There is one aspect of the Michigan consent decree which must be carefully monitored, however. This is the "Cross-Racial, Cross-Cultural Parenting Assessment Guide." In apparent deference to concerns of opponents of transracial adoption the following wording is included in the consent decree: "If an applicant indicates an interest and acceptance [in adopting a child of a different race], they shall be evaluated in the adoption study to determine their capacity and disposition to appreciate and educate the child regarding the child's racial, ethnic and cultural heritage and background." The concern here is obvious. How one social worker evaluates an applicant's "capacity and disposition" could be completely different from how another worker evaluates the same couple, due solely to the differences in attitudes toward transracial adoption.

The Department was required to develop an assessment tool for evaluating this "capacity and disposition". Such an assessment tool indeed makes sense and could be a useful tool to provide for honest compliance with the consent decree, while at the same time helping would-be-adopters prepare for adopting transracially. To meet this task, however, the assessment tool would need to provide clear guidelines for the worker and specific questions which the worker must answer as he or she develops the assessment. There would need to be a system of checks and balances placed on the individual decision making powers of the worker. Perhaps this would be an internal supervision process or an external review board(s). Such a system is necessary to meet the goal of the litigation: consistency in decision making with regards to race, and fairness for parents and children.

Unfortunately, this is not the case with the "Cross-Racial, Cross-Cultural Parenting Assessment Guide" prepared by the Michigan Department. The guide allows for unbounded latitude on the part of social workers in deciding an applicant's suitability for adopting transracially. A worker with a personal attitude opposing transracial adoption could easily find reason within the assessment guide to preclude all transracial adoptions. The end result of this landmark Michigan case is therefore uncertain. Agencies and workers opposed to transracial adoption are still permitted much of the latitude they enjoyed before the consent decree by virtue of the assessment guide as it is currently written. There is reason to hope for real progress, however, because the federal court has also ordered the implementation of new reporting requirements and will oversee the adoption and foster care services of the Michigan Department for three years.

The case of the Committee to End Racism in Michigan's Child Care System, and James Quinn and Margaret Quinn v. Agnes Mansour, Director, Michigan Department of Social Services may provide a watershed in the battle. The large body of case law is clear: race can not be a determinative factor in adoption cases. The Michigan consent decree may prove to be the basis for actual implementation of this principle. It will be a matter of watching closely what happens in Michigan during the next three years and the reaction of other states.

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Senator DODD. This Subcommittee will stand adjourned until further call of the chair.

[Whereupon, at 6 p.m., the Subcommittee was adjourned, subject to the call of the Chair.]

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